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No. 30

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HARDY).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
February 25, 2016.

I hereby appoint the Honorable CRESENT HARDY to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### CARBON CAPTURE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CONAWAY) for 5 minutes.

Mr. CONAWAY. Mr. Speaker, this morning I introduced the Carbon Capture Act, which makes simple changes to the existing section 45Q tax credit that further incentivizes carbon capture and sequestration projects.

CCS technology will help reduce carbon emissions while simultaneously creating jobs, bolstering domestic oil production, and providing regulatory relief for our coal industry. Yes. You heard that right.

The benefits of CCS are bringing folks who do not traditionally work together to the same table for the betterment of our Nation's energy security.

Often people believe they are forced to choose between supporting economic development or environmental stewardship. However, this bill is evidence that that is a false choice. Above all, CCS serves as a testament to the entrepreneurial spirit and gumption found throughout this great country.

In Texas District 11, I have seen this innovative spirit daily. These projects will play an important role in west Texas' and our Nation's future energy portfolio.

I hope my colleagues will join me in supporting this important legislation.

### DEFENSE AUTHORIZATION AND APPROPRIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, in the weeks ahead, we will be dealing with the budget resolution and we will be dealing with defense authorization and appropriations.

Already we have seen the administration unveil a budget that is not only unrealistic, but actually could be dangerous.

It keeps spending for all the nuclear modernization on track over \$3 billion, and it includes funding for a long-range, standoff replacement cruise missile, \$2.2 billion in the future year defense program, ultimately costing \$20- to \$30 billion, if not more, this to replace a cruise missile that the father of this device, former Secretary of Defense William Perry, feels is no longer relevant and has argued against.

There are billions of dollars for the controversial modernization of each leg of the nuclear triad—the land-based missiles, submarine-based missiles, and

the bombers—which have not been used in 65 years, have been unable to help us with the military challenges that we face now in the Middle East and are going to consume huge sums of money in this hopelessly redundant program.

It is dangerous because of the cuts in the nuclear nonproliferation program of over \$100 million. I mean, these are real threats to our security.

We are battling ISIS now. They have already obtained some low-grade nuclear material in a facility near Mosul. We have had a few nuclear weapons gone missing and other nuclear materials unaccounted for or stolen.

We need to have these proven programs to reduce the inventory, track it down, and take it out of circulation. We should be expanding them, not cutting them back. It continues an overall trillion-dollar spending that we are going to have on the nuclear programs over the course of the next 30 years.

Now, these are resources that are going to be at the expense of our conventional weapons. As I mentioned, the nuclear triad is far more than we need to deter anybody in the world right now and do not help us with the strategic challenges that we face today.

It is not going to prevent Russian adventurism in Ukraine or Crimea, but it will result in our having to cannibalize the Guard and Ready Reserve, the Army that will be paying the price for this.

These are conventional forces that have paid the price for the last two decades of activities and are going to be needed for both deterrence and, God forbid, actual activity in the future. We cannot do all of this within the current budget horizon.

The budget gimmicks ignore that. We have a little trust fund with the overseas contingency account that ignores budget realities that we are not going to be able to continue in perpetuity.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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We ignore the long-term costs of budget programs for weapons, preferring to put that off to a future administration and future Congresses.

In so doing, we are playing fast and loose with the integrity of the Pentagon with the resources and the materials that are necessary to support our troops now and in the future.

It is not too late for this Congress to demand a spending plan, cost accountability, kill the new cruise missile program, and put us on a path of fiscal stability and sanity while we have appropriate priorities for the military strength and defense of our country.

#### IN MEMORY OF GEORGE COLLINS JEFFREYS

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to honor the life and work of Goldsboro's own George Collins Jeffreys, who passed away on January 20.

Born over 90 years ago, in 1925, George lived a long and full life. The eldest of four children, he attended St. Mary's School and Oak Ridge Military Academy in Oak Ridge, North Carolina. During the Second World War, George served in the Pacific.

After the war, George returned home to work in the family business, which was originally established back in the 1890s by two prominent North Carolina families to market local produce, chickens, seed, and eggs. The business was successful.

In the 1920s, George's father and uncle took over the business, renaming it Jeffreys and Sons. The two brothers began offering beverage distribution. After the end of prohibition, they became a licensed distributor for Anheuser-Busch products.

It wasn't long before the company had grown so big that it was divided into separate seed, beverage, and cabinet companies. It continued growing and expanding in Goldsboro, Greenville, and other communities.

Today, R.A. Jeffreys Distributing Company is the oldest Anheuser-Busch distributor in North Carolina as well as one of the oldest family-owned distributors in the United States.

R.A. Jeffreys Distributing Company services almost every grocery store, convenience store, and restaurant in the area, supplying 36 counties in North Carolina.

Now, George Jeffreys was not only respected as a business leader. He was a thoughtful and generous member of his community, volunteering and contributing to local schools, Scout troops, churches, and community programs.

In addition to his company being recognized multiple times as an outstanding wholesaler by Anheuser-Busch, receiving the Dimensions of Excellence Award, George also received the Distinguished Service Award from

the Tuscarora Council of the Boy Scouts of America.

His dedication to business and to his community were certainly highlights of his long and full life. But the true foundation of George Jeffreys' life was his family.

His wife Lucy and his three children—his daughters, Leigh and Ellen, and his son Robert—and seven grandchildren will all remember him with love.

Mr. Speaker, I am honored to call George Jeffreys a friend.

I pray for God's blessings and God's peace to his family.

#### END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, last week during our district work period, I spent the night at the Interfaith Hospitality Network, a family homeless shelter in Worcester, Massachusetts. This was my second time spending a night there in recent years.

It was a wonderful opportunity to hear firsthand the stories of families who are facing tough times and to see the incredible support provided by groups like IHN.

In today's media environment, where every development in the Presidential campaign gets a breaking news banner, it is easy to lose sight of the real issues impacting real families, and homelessness is one of those real issues.

In 2015, more than 500,000 Americans were homeless on any given night. Of that number, more than 200,000 were people and families and nearly 50,000 were veterans.

Even in Massachusetts, which is one of the richest States in the Nation, homelessness continues to be a challenge in many of our communities.

In recent years, State budget cuts have led to a record number of homeless children in Massachusetts, and the overall uptick in homelessness has led to overcrowding in shelters, with thousands of families being turned away.

In the richest country on the planet, it is simply astonishing that anyone is homeless, but the fact is this continues to be a persistent problem. Fortunately, there are amazing organizations like the Interfaith Hospitality Network that are making a difference.

IHN works in partnership with the faith community to provide shelter and assistance to families with children who are homeless. Their primary goals are to assist families by increasing their income and to help them secure permanent housing while providing critical support services necessary for them to succeed.

It is a community bed shelter that provides private bedrooms and shared quality living areas for six families at a time who are homeless, but don't qualify for State-funded shelters.

One of the points that the people I met made very eloquently was that

sometimes life is very complicated and sometimes things don't work out as you expect them to.

Many of the families that I met during my stay included at least one working parent, but they had fallen into the gap where they earned too little to make ends meet, but too much to qualify for other housing assistance programs.

Some of the residents included college-educated parents with families that fell on hard times. Maybe a parent is sick or a child is sick or a parent got laid off from a job. Those families are not there because they made poor choices. There were a series of events that led to this.

One thing parents at the shelter have in common is that they love their kids more than anything and they are working tirelessly to get back on their feet.

The families at IHN are not charged rent and work with a caseworker to budget and save money for their own apartments. The caseworker also helps families access necessary health care or counseling, learn job skills, enroll in job training or educational classes, and assists them with other life issues.

Mr. Speaker, IHN is a very special place. It is a home. It is comfortable. It is safe. Families prepare and eat dinner together. Children do their homework together, color in coloring books, and play games. IHN provides a sense of normalcy during these times of turmoil and uncertainty for these families.

With each visit to the IHN shelter in Worcester, I am inspired to see that within our community there are so many wonderful people who care about their neighbors who are going through difficult times and who want to get back on their feet.

The volunteers and staff are incredible people. Places like IHN represent the best of our community. There is a real need for places like this.

Too often in this Chamber I have heard colleagues demonize and disparage America's poorest families, but those who are homeless don't fit into a stereotype.

Every family faces different challenges. It is hard work to be poor in America. The families I met are working hard for a better life for their kids.

We should be helping them get back on their feet, not kicking them while they are down. Certainly we should not be indifferent to their struggles.

To help more of these families get ahead, we must do more at the national level to strengthen the social safety net and to better address homelessness, food insecurity, poverty, and many other issues which deserve to be front and center.

Looking at the big picture, we need to be talking about how we can make sure that work pays enough so that all working families can afford rent and a place to live and be able to put food on the table for their kids.

□ 1015

We might start by increasing, at long last, the Federal minimum wage so

that it is a livable wage. If you work in this country, you ought not to be poor, and you certainly ought not to be homeless.

Mr. Speaker, in the richest country on the planet, I know we can do more to solve homelessness. Spending the night at the Interfaith Hospitality Network was a learning experience. I encourage all of my colleagues to do the same in their districts.

Those of us who serve in Congress are blessed that we don't have to worry about whether or not we will have a roof over our heads on any given night, but there are many families, too many families all throughout this country who do. We need to do a better job of listening to their stories, of trying to lend a helping hand so that they can get out of their difficult situation and move on to a better life.

I urge my colleagues to listen to what I said today and to do what I did and spend a night in a shelter in their own district.

#### STACIE WALLS STORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, the war on coal touches every family in my home State of West Virginia. Whether you are a miner or not, you feel the consequences of this administration's regulations that are shutting down our coal mines.

Closing a coal mine doesn't just affect a miner and his family. It affects everyone in the community, from the small town mom-and-pop stores who depend on customers, to our schools that depend on tax revenue. A decline in coal hurts us all.

Stacie Walls contacted me. She is a wife of a coal miner and a mother in Boone County. She sees the consequences firsthand.

Here is what she wrote me: "My husband has been laid off four times since last April.

"Because of the war on coal, my county is closing my son's school due to not having the coal tax to help keep it opened.

"My son's education is now going to suffer because of the war on coal. I've watched many families leave the State because they must find work.

"There are more 'for sale' signs up than there are kids riding their bikes."

This, Mr. Speaker, is Stacie. This is Stacie's family. These are the true faces of the war on coal.

West Virginia's families deserve peace of mind. It is time for the EPA to get off the backs of West Virginians and let them do the work that powers our Nation and puts food on our tables.

I am working every day in Congress for our coal families, for all families. I believe in the future of West Virginia coal.

President Obama must stop his war on coal, and we must pass policies that

create jobs to ensure a future for West Virginians in West Virginia.

#### TWO GREAT AMERICAN HEROES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. LARSON) for 5 minutes.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to commend the Bipartisan Policy Center for the establishment of the Congressional Patriot Award and naming SAM JOHNSON and JOHN LEWIS as its first recipients.

I can think of no two people who are more deserving than SAM JOHNSON and JOHN LEWIS, both of whom serve in this Chamber with distinction, both of whom I have the honor of serving with on the Committee on Ways and Means who do an extraordinary job on behalf of the citizenry of this great Nation. For all of our membership here, we can all be proud to say that we served with both SAM JOHNSON and JOHN LEWIS.

I want to thank and commend TOM COLE, my co-chairman in this effort, on behalf of our two esteemed colleagues. By now every Member should have received, and the public will become increasingly aware of, an invitation to this event on March 15. The event will be held at the Library of Congress. What a fitting place for us to honor our colleagues. The Library will have on display photos and documents from the Vietnam war and photos and documents from the civil rights movement.

It was 50 years ago that SAM JOHNSON was shot down over Vietnam. It was 51 years ago that JOHN LEWIS made that historic trek from Selma to Montgomery and crossing over the Edmund Pettus Bridge. Most people don't realize today that SAM JOHNSON was imprisoned by the Vietcong for 7 years, 42 months of which he spent in solitary confinement, nearly beaten to death but never said a word. What an incredible American.

JOHN LEWIS, nearly beaten to death by the Alabama police as he had the temerity to lock arms and cross the Edmund Pettus Bridge, faced with undaunted courage an unwelcoming crowd who could never deter the will of a movement that he is so identified with.

To have the Bipartisan Policy Center recognize a conservative, a progressive, a Republican, a Democrat, people who served this Nation extraordinarily with their patriotism long before they ever got here, to have a medal named in their honor and to present that once in a biennium to deserving Members of this body, past and present, is a great notion.

It demonstrates to the American people that at the end of the day it is not about conservative or liberal or it is not about Democrat or Republican, it is about the great nation that we serve. There are no more exemplary figures than SAM JOHNSON and JOHN LEWIS.

JOHN MCCAIN will be presenting on behalf of SAM JOHNSON. No one under-

stands what SAM JOHNSON endured better than Senator JOHN MCCAIN. Andrew Young will be speaking on behalf of JOHN LEWIS. He was alongside of JOHN LEWIS during that historic march. No one knows better what they endured.

We are so fortunate to both have the Library of Congress but also to have David Rubenstein, who will be there, who will conduct an interview that evening with SAM JOHNSON and JOHN LEWIS. It will be a wonderful evening, made more special by what the Library of Congress will present in terms of what transpired 50 and 51 years ago respectively, but made greater by the presence of everybody here recognizing the great contribution of our colleagues, SAM JOHNSON and JOHN LEWIS.

I look forward to having everybody on March 15 at the Library of Congress to recognize these two great American heroes.

#### HISTORIC ROSENWALD SCHOOLS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. HILL) for 5 minutes.

Mr. HILL. Mr. Speaker, for recently freed African Americans, education denied to them under slavery was a critical component of understanding freedom.

In the wake of the Civil War, with the widespread awareness that education was essential to the advancement of a free people in this society, African Americans flocked to schools established by the Freedmen's Bureau.

The recognition of this relationship between schools, community, and the broader ideal of the American Dream led African American parents and teachers to be among the first Southerners to advocate for universal public education.

However, the dual education system that arose, determined by race and based on the fiction of separate but equal, brought about a hand-me-down approach to Black education in the South. This flawed duality resulted in the perpetuation and exacerbation of institutional inequity.

In the face of such obstacles, leaders like Booker T. Washington, founder of the Tuskegee Institute, embraced and expanded on the early belief in education as the great hope of a truly democratic society.

Washington's vision inspired many, including philanthropist and president of Sears, Roebuck, Julius Rosenwald.

The philanthropic and educational partnership between these two men led to the construction of 5,000 Rosenwald schools across 15 Southern States. In Arkansas, 389 school buildings were constructed in 45 of our 75 counties, with communities pooling their often meager resources to fulfill Rosenwald's pledge to match their contribution.

For many, these buildings were not simply schools but monuments to Black achievement and symbols for an ardent hope in a better future. Rosenwald schools contributed to the education of thousands of African American students across the American

South, including notable figures like Arkansas poet Maya Angelou and our own esteemed colleague and friend, the gentleman from Georgia (Mr. LEWIS).

In 1954, with the U.S. Supreme Court decision in *Brown v. Board of Education*, to which Julius Rosenwald contributed one-third of the litigation costs, his carefully crafted schools became obsolete. In Arkansas, the tensions behind this great achievement played out in the tumultuous 1957 Little Rock Central High crisis. The courageous determination of the Little Rock Nine hearkens back to that fundamental belief in education equals freedom.

This is the continuing legacy of Washington, of Rosenwald, and the countless parents and teachers who were determined to give future generations the means of mobility, economic advancement, opportunity.

In 2002, the National Trust for Historic Preservation listed Rosenwald schools as one of America's most 11 endangered places. Today in Arkansas, only 18 of those original school buildings remain. One of those remaining buildings is in the Second Congressional District. The only Rosenwald school to be built in Perry County, the Bigelow Rosenwald School, was constructed in 1926.

After 38 years of service toward education, the Bigelow Rosenwald School was transformed into a community center. With a revival of interest in and knowledge about the schools, efforts are being formed around the country to restore these embodiments of our history.

Aviva Kempner's documentary "Rosenwald" pays tribute to the man, his work, and the rippling impact on the evolution of African American education in our country.

As we celebrate Black History Month, I rise to recognize how far we have come, how far we still must traverse, and pay a special salute to Julius Rosenwald and his contributions to the advancement of education.

#### THE EXTENDED DROUGHT IN CALIFORNIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to bring attention again to the devastating drought that has impacted California for over 4 years.

Much is said about California and the success that we have had post-World War II, but a lot of it is owed to the fact that we have developed a water system, both a Federal and State water project, that allows us to move water throughout California for beneficial use to every region of California, and that has been a great success.

But today that water system is broken. It is broken because it was designed to meet the needs of 20 million people and the agriculture that we had in the 1960s and 1970s. Today we have

over 40 million people in California, we have more intensive agriculture, producing half the Nation's fruits and vegetables—the leading agricultural State in the Nation—and demands for water for the environment that was not part of the project in the beginning.

I have made and will continue to make it a priority to speak on the House floor regularly regarding the devastating drought impacts and will attempt to offer solutions both for the State and Federal agencies to maximize our ability to move water through the system where it is most needed to ensure that we also make the changes at the Federal level and at the State level to fix this magnificent but broken water system today that no longer can meet all of the demands and needs that are subscribed for it.

□ 1030

Protecting and securing a reliable water supply in the San Joaquin Valley is arguably the most important issue facing the region of 4 million people that I, along with four of my other colleagues, represent. We worry every day about job security and the future success of the San Joaquin Valley's economy, which are directly dependent upon our access to a reliable and secure supply of water that is of high quality. The people of the valley and the entire State of California have been directly impacted by this devastating drought in one way or another.

There are many examples of how the San Joaquin Valley, a place I represent, has been impacted:

Over 6,000 acres of productive agricultural land has been fallowed, unplanted.

The land in the San Joaquin Valley is subsidizing because, out of devastating need, families are drilling deeper wells to meet their everyday needs to keep what land they can in production and permanent crops irrigated, and farmers are pumping groundwater at unsustainable rates to avoid the catastrophic impacts of pulling out hundreds of millions of dollars' worth of permanent crops.

Unemployment in the San Joaquin Valley is twice as high as the rest of the country; and in 2015 alone, California lost \$2.2 billion as a result of the drought.

These devastating impacts have brought many of us to pray for rain and snow in the mountains, but that is not enough. We need to fix this broken water system.

While we will continue to hope for the El Nino year to bring additional rainfall amounts that are significantly greater than average, we know that that is not enough.

With above-average rainfall and snow in the mountains, San Joaquin Valley communities and farmers can now rest easy; right? Sadly, no. Since October 1, 2015, over 3.4 million acre-feet of water has gone out into the ocean. That is water that could be used in the valley and in southern California. This is

nearly 1.1 trillion gallons of water. To put that number in context, an average American family uses around 400 gallons of water a day.

My point is that only a small amount of water is being pumped out of the delta to move south for the San Joaquin Valley to assist the farm communities, as well as for southern California. We have yet to recover from the devastating impacts of the drought over the last 4 years, even though we have got more water this year as a result of the El Nino conditions.

The U.S. Bureau of Reclamation announced recently that, even with well-above average rainfall, reservoirs in California are still below the 15-year average for this time of year, and there is no Federal water stored in a major reservoir, the San Luis Reservoir, for the San Joaquin Valley that would be available for water this summer.

Yet, this week, we were devastated to hear that the Bureau of Reclamation is releasing 200,000 acre-feet out of Folsom Lake because of flood control purposes. We are not moving that water—not even 100,000 acre-feet—through the system. That is just not right. This is directly due to the unwillingness of State and Federal agencies to pump water at the maximum levels based the biological opinions that many of us believe are flawed because the science is at least 10 years old.

While weather patterns have had a great impact on the delivery of water over the last 4 years, it has only been one of the impacts. We must make a difference. We must fix this broken water system. I will continue to update the Members of the House on the challenges we face and on legislation that is important to do just that.

#### HONORING ALLAN BOWLES ON HIS RETIREMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, on the occasion of his retirement on February 29, 2016, I rise to thank Allan Bowles for over 32 years of outstanding service to the United States House of Representatives.

Allan began his career in the labor division on September 1, 1983. Shortly after that, he worked as a storeroom clerk. Not long after that, he made his way into the cabinet shop and began his rapid ascent through the ranks from apprentice to journeyman cabinetmaker.

He can be proud of the many projects that were successfully completed during his tenure. Some of these projects include custom cabinets made for Speaker Wright and Members in leadership, such as Mr. HOYER, Mr. ARMY, and Ms. PELOSI.

Allan's list of accomplishments is indeed long. In over 32 years, he has produced some of the most exemplary and useful projects, many of which are still being utilized today.

Allan's cabinetmaking expertise and craftsmanship are evident in his body of work. He has worked tirelessly alongside other House employees to make the House more secure following the events of September 11 and the anthrax incident of 2001.

His reputation in the shop for light-hearted humor and quick wit made for long-lasting friendships and camaraderie in the shop. He brought a unique brand of comedy and teamwork to the cabinet shop, which serves the House from behind the scenes.

He made a long-term commitment to excellence and improved services to the House community. In addition, Allan's dedication to his craft and customer service skills made him an extremely valuable member of the service team. Allan has dedicated his life to making the CAO and the United States House of Representatives a better place.

After his retirement from the House, he plans to enjoy country living, fishing, and hunting. He also plans to keep busy working in his own shop in southern Maryland.

On behalf of the entire House community, I extend our congratulations to Allan Bowles for his dedication and outstanding contributions to the United States House of Representatives. We wish him many wonderful years in fulfilling his retirement dreams.

#### HONORING ANTHONY THOMPSON ON HIS RETIREMENT

Mr. DOLD. Mr. Speaker, on the occasion of his retirement on March 3, 2016, I rise to thank Anthony Thompson for over 34 years of outstanding service to the United States House of Representatives.

Anthony began his career with the House, in November 1981, as an apprentice cabinetmaker in the House cabinet shop. Over the next 34 years, he was promoted to various positions, to include lead cabinetmaker, or "third man"; assistant foreman; and eventually became manager of the House cabinet shop. His accomplishments are far too lengthy to list in this tribute; however, there are two examples of his contributions that are worthy of recognition.

Anthony designed and constructed the first offsite House floor furniture set which may be used, heaven forbid, in the event that the House Chamber is unavailable for use. He has been instrumental in the design and construction of all the succeeding sets of furniture as well.

He was also involved in the design and construction of the House floor stenographer's table that sits to my right. The table was designed with new technology in mind, while still matching the original design, look, and feel of the existing dais.

On a more personal note and equally worthy of recognition, Anthony has dedicated his life to making the CAO and the United States House of Representatives a better place. He has passed along his many years of cabinet-

making experience to staff and coworkers so that they can continue the extremely high standards of quality craftsmanship that have come to be expected of the House cabinet shop. Upon his retirement, he plans to use his extraordinary talents continuing to make beautiful, one-of-a-kind pieces of furniture for the private sector.

On behalf of the entire House community, I extend our congratulations to Anthony for his many years of dedication and outstanding contributions to the United States House of Representatives. I am honored to call him a friend, and I wish him all the best in the years to follow.

#### TRIBUTE TO ANDREW JACKSON LANGUAGE ACADEMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to highlight and pay tribute to one of Chicago's most effective public schools, the Andrew Jackson Language Academy.

Andrew Jackson was opened in 1894 to serve children from the crowded tenement community surrounding the Polk Street station, a port of entry for immigrants. That very same year, one of the first public school kindergartens was established in Chicago. Since 1981, this school has offered foreign language instruction to its students.

In 1988, Andrew Jackson Language Academy moved into a new, up-to-date facility. The building is equipped with science and computer labs, a library, media center, and a large outside area for play and gardening activities.

Today 550 students from diverse racial, ethnic, and religious backgrounds attend the school. Students at Jackson receive extensive instruction in Chinese, French, Italian, Japanese, and Spanish. The curriculum not only emphasizes the skill of understanding and using these languages, but also introduces students to the geography, history, and tradition of other cultures. As a result, students are more adequately prepared for the international marketplace and for success in the 21st century.

The Andrew Jackson Language Academy is a well-organized, safe, and orderly school with an excellent student code of conduct, and the dress code has been developed to promote a suitable learning environment. It has a wealth of school spirit, which is promoted through the Merit Club, family reading night, Project Backpack for the Homeless, musical performances, student ambassadors, Big Sisters and Big Brothers, a Chinese painting workshop, and the Weigi workshop. French and Italian shops are ongoing. Japanese students are learning to work in class, and Spanish students from kindergarten through eighth grade are working hard on building their Spanish skills.

The Dads Club at Jackson is very active and sponsors a number of family events such as the annual basketball fundraiser, family skate night, the daddy-daughter dance, and a number of other ways for dads to be involved.

The Andrew Jackson Language Academy has a very strong and actively engaged local school council. Its chairperson is Ms. Angela Bryant; principal, Ms. Marilou Rebolledo; secretary, Ms. Margaret Kempster; members, Mr. Kevin Lopez, Ms. Mary Clare Maxwell, Ms. Tara Roden, Mr. Jeff Sadoff, Mr. Luis Oviedo, and Mr. Stephen Smith.

The parents council at Jackson Language Academy is actively engaged and involved, led by Heather Alvarez, president; vice president, Rubi Alvarez; recording secretary, Emerlie Ilarde; Virgil Nita; and treasurer, Pamela Alfaro.

I commend and congratulate all of those who work to make and keep the Andrew Jackson Language Academy the great Chicago public school that it is.

Someone—perhaps a philosopher—once said: It takes great souls to make great schools. We thank all of those who have been involved in making the Andrew Jackson Language Academy the great school that it is. It takes great souls to make great schools.

#### A FALLEN OFFICER REMEMBERED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in remembrance of fallen St. Joseph, Minnesota, police officer Brian Klinefelter. It has been 20 years now since Brian was killed in the line of duty, and this loss is still felt in our community today.

On a cold night in January, Officer Klinefelter was nearing the end of his shift when he heard of an armed robbery over the radio dispatch and decided to help his fellow officers pursue the robbers. Not long after, Officer Klinefelter was tragically shot and killed in his brave attempt to protect his colleagues and the community he loved.

The men and women in blue are some of the finest this Nation has to offer, and Officer Brian Klinefelter is proof of that. Every morning they put on their uniforms, not knowing if they will safely return to their loved ones at the end of the day. The sacrifices they make are done because of their selfless love of country, community, and neighbors.

The night Brian was killed, he left behind his wife, Wendy; his newborn daughter, Katelyn; along with numerous family members and friends. Wendy and Katelyn, we haven't forgotten you, and we have not forgotten Brian—the incredible life he lived and the brave sacrifice that he made.

□ 1045

## FREE HOUSTON METRO HOT LANE ACCESS FOR DISABLED VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, this morning I spent some time, and last evening, communicating with leaders of my transit system, Houston METRO, that has received numerous awards; and I applaud them for working very hard, sometimes against odds, to provide mobility for the great citizens of the Houston, Harris County, metroplex area.

I had a particular beef, or a particular issue, that we have been working on since last November, and that is to give disabled veterans in this very vast territory of Texas the ability to ride on what we call the HOT lanes for free.

My premise is simple. When we ask our men and women in the United States to put the uniform on, we ask, with no qualifications, meaning no restraints, that they are expected to defend the United States to the utmost. In the course of that, some fall in battle, lose their lives, or are veterans who ultimately come to their demise by their age and illnesses. Therefore, I think it is enormously important that, when they make a request that helps them in their mobility, whether it is to doctors' offices and family or going back to school, there should be no barriers, no restraints.

So today my METRO board is meeting, and I made contact again, as I did this past week, with the committee, late into the night, to say that there should be no delay, no barrier in allowing those lanes to be used for free by disabled vets.

I want this in the RECORD because I will pursue and persist, even to the extent that an emergency board meeting will need to be called. There just simply is no reason to delay. November, December, January, February, and near March, there is no reason to delay.

I am waiting for the decision, and I will look forward to the Disabled Veterans of America and others reaching out to my office so that together, collectively, we can make sure that not only does this happen in Houston, Texas, but that it be a policy across America.

We should find a way to be able to assist those who have willingly, without any hesitancy, and unselfishly, put on the uniform.

## RESPECT FOR THE THREE BRANCHES OF GOVERNMENT

Ms. JACKSON LEE. Mr. Speaker, I want to turn the attention of my colleagues to another issue of justice, and that is the fair existence of and respect for the three branches of government.

This involves vets and nurses and schools and school teachers and families across America. It is a process that the Congress goes through every year.

We call it the budgeting process; and it is an act of Congress and the administration, we hope, working together.

That is the time that the Congress works on the plan for the American people; and it is, of course, the time when the President works on the plan for the American people. It includes reports like this, an economic report of the President. It includes the budget, which is the roadmap for the American people.

Let me be very clear. We are all elected; but there is one person—in this instance, one man—that has been elected by all of the people, and he has submitted a budget.

I would not ever imagine in my tenure in Congress that we would have this Congress overlook a 41-year tradition for the American people, on their behalf, whether you are for it or against it: the right of the representative of the President, in this instance, Shaun Donovan, the President's Budget Director, to make his presentation before the United States Congress.

If I were not standing on this floor, Mr. Speaker, I might simply break down and cry, because I love this institution. I love the constitutional processes documented in the Constitution of the three separate branches of government. We have often disagreed, but we have and should never disrespect.

G. William Hoagland, who was the Republican staff director at the Senate Budget Committee for much of the 1980s and 1990s, now senior vice president of the Bipartisan Policy Center, could not recall a year, since the Martin budget process took effect in the 1970s, when a President's Budget Director was not invited to testify, Republican or Democrat.

While the last budget of an outgoing President is usually aspirational and sets a tone for what he or she hopes will be followed up by, it is not and has not been a time to not see the President's budget. The President's budget is good for education and job creation and national security, and it does not cut, as the Republican budget does, Mr. Speaker, 46 percent in education.

Where is our collegiality?

Shame on us. Let the President's man speak on the budget.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GRAVES of Louisiana) at noon.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day.

As we meditate on the blessings of life, we especially pray for the blessing of peace in our lives and in our world.

As You have created each person, we pray that You would guide our hearts and minds that every person of every place and background might focus on Your great gift of life and so learn to live in unity.

May Your special blessings be upon the Members of this assembly in the important, sometimes difficult, work they do. Give them wisdom and charity that they might work together for the common good.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. FITZPATRICK) come forward and lead the House in the Pledge of Allegiance.

Mr. FITZPATRICK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

## TEAM VERMILLION'S EFFORTS TO BEAT LEUKEMIA AND LYMPHOMA ARE A FITTING TRIBUTE TO STEVE VERMILLION

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the legacy of a dear friend and long-time public servant, Steve Vermillion, who passed away in 2012 from acute myeloid leukemia.

Steve began his career here in the House in 1986, working for colleagues like JIM SENSENBRENNER and Lincoln Diaz-Balart. He was a strong defender of democracy and human rights, especially when it came to U.S. policy toward Cuba, and he helped cofound the

Congressional Hispanic Leadership Institute.

Team Vermillion, led by his son Joe, has committed to raising funds to support the Leukemia and Lymphoma Society through February 27. Team Vermillion's efforts are a fitting tribute to a good man who sought to help lift others throughout his life.

Steve, you are greatly missed, but you will never be forgotten.

#### RECOGNIZING THE LIFE OF EARL THOMAS BROWN

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, I rise today to recognize the life and work of Attorney Earl Thomas Brown of Greenville, North Carolina, who this past Saturday tragically died in a one-car collision at the age of 64.

Attorney Brown was a native of Edgecombe County, though he lived and worked in the city of Greenville. He was an extraordinary lawyer. During my years as a Superior Court judge, Earl appeared before my court on many occasions. He treated each case as unique, exceptional in his scholarship, compassionate for his clients.

At the time of his passing, Attorney Brown was a candidate for District Court judge, a position he wanted to achieve so very much. Not only was Earl an exceptional lawyer, but a man of faith and a strong patriarch for his family.

He is survived by his wife, Dr. Hazel J. Brown; a son, Attorney Derek Brown; a daughter-in-law, Joni Marie; and grandchildren, Austin, Alanna, and Myles. He is also survived by his beloved mother, Mrs. Anna Brown, and many other relatives and friends too numerous to mention.

Mr. Speaker, I ask my colleagues to join me today in celebrating the life and work of a great American, Attorney Earl Thomas Brown.

#### PRESIDENT OBAMA IS IGNORING THE LAW

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, 10 days ago Congress expected the President to submit his plan to counter the rise of Islamic terrorism in the Middle East. American families deserve to know that the President has a strategy to defeat ISIL and keep us safe.

The 2016 National Defense Authorization Act signed by the President was clear that the President must submit a plan to Congress by February 15 on how to defeat ISIL and reduce risks to American families.

Sadly, the President has not presented a strategy. This is another example of the President's continued dis-

regard for law and the Constitution. We should support our troops by giving them a clear mission and a clear strategy to protect American families.

While I am disappointed that the President has failed to submit a strategy, we cannot be surprised, after he dismissed ISIL as the JV team. He claimed ISIL was contained just 1 day before the Paris slaughter, and he incorrectly assured Americans to be confident just as the mass murder was beginning in San Bernardino by ISIL terrorists.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

#### RECOGNIZING AWARD-WINNING ARTIST HARRY DAVIS

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today during Black History Month to recognize a fellow North Carolina artist and living legend, Harry Davis.

Originally from Wilmington, North Carolina, Harry Davis' natural talent was evident from his early drawings. After serving our Nation in the U.S. Army, an accidental shooting left him permanently confined to a wheelchair, which led him to turn to oil painting as a means of expression and therapy.

Self-taught artist Harry Davis' attention to detail and the use of bold and brilliant hues and compositional precision have captivated audiences around the country.

An award-winning artist who has gained national recognition, Davis' work is in private collections of more than a dozen actors, actresses, and public figures.

He has received many honors throughout the country since the 1970s, including best of show in the New Orleans Jazz & Heritage Festival and featured artist for the Greensboro African American Arts Festival.

Harry Davis has also worked tirelessly to share his love for the arts and African culture with students throughout North Carolina. We applaud him on this day. We thank him for his service to this country and his service to the arts.

#### CLOSURE OF GUANTANAMO BAY PRISON

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, on Tuesday President Obama presented his plan to close the U.S. military prison at Guantanamo Bay and proposed transferring up to 60 prisoners to the United States mainland.

Bringing dangerous terrorists to the American homeland has been consistently rejected by bipartisan majorities in Congress. The President's plan is lacking key details required under the

law, including the exact cost and location of an alternate detention facility.

On the same day that the President announced his plan, Spanish and Moroccan police arrested four suspected members of a jihadi cell that sought to recruit fighters for Islamic State, including one individual described as a former Guantanamo detainee who once fought with militants in Afghanistan.

President Obama's stubborn insistence on fulfilling an ill-advised campaign promise to close the detention facility at Guantanamo Bay distracts from ongoing threats to American national security and highlights the failures of his foreign policy agenda.

#### AFRICAN AMERICAN POVERTY

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, as chair of the Democratic Whip Task Force on Poverty, Income Inequality, and Opportunity, I rise to commemorate Black History Month and highlight the disproportionate impacts of poverty on the African American community.

Sadly, our Nation has a long history of individual and institutional racism, from slavery and Jim Crow to redlining and overpolicing. This has locked many, many families out of opportunities, even with the enormous progress that we have made with our great civil rights leaders and foot soldiers whom we honored yesterday.

These deplorable disparities and inequalities continue at every level of our society. For example, the African American poverty rate is 26 percent, nearly triple the poverty rate of White Americans. One in three African American children lives in poverty.

The unemployment rate in the African American community is more than 8 percent, twice the unemployment rate of White Americans. The median wealth of White households is 13 times the median wealth of African American households, the widest gap since 1989.

Poverty doesn't just hurt African American families. We know that communities of color are two times more likely to live in poverty and too many rural White and Native Americans have felt persistent poverty for generations.

These statistics paint a clear and stark picture that Congress cannot ignore. We need to get serious about ending poverty and giving everyone, including African Americans and people of color, an opportunity to live the American Dream.

#### HONORING THE LIFE OF WILLIAM AMOS "BILL" USHER

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a personal friend, Major William Amos Usher. Bill passed away at the



age of 86 on Sunday in Paducah, Kentucky.

From 1952 to 1962, Bill served as a fighter pilot in France and Germany for the United States Air Force and Air Force Reserves. Bill proudly served in the 417th tactical fighter squadron and was awarded the Commendation Medal for his outstanding work with the United States military.

In 1962, he retired and returned home to Paducah to help with the family trucking company, Usher Transport. Bill became the manager of the company and eventually the owner for many years. Bill established the local Christmas Cop organization, was honored as a Kentucky Colonel and a Duke of Paducah for all of his contributions.

Mr. Speaker, please join me in honoring the life and legacy of Major William Amos "Bill" Usher for his many outstanding contributions to the community as well as his service to our country. God bless him always.

#### NATIONAL RARE EYE DISEASE AWARENESS DAY

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to introduce my resolution expressing support for the designation of February 28, 2016, as National Rare Eye Disease Awareness Day. In solidarity with those living with rare eye conditions and blindness, I am introducing it in braille.

Joining me today is the Smedley family from my district in Bucks County, Pennsylvania, whose sons, Michael and Mitchell, suffer from a rare eye condition which has caused them to lose their sight at a very young age.

But this has not stopped them from pursuing their dreams. Michael serves in his high school student government and is a member of the track team. Mitchell is on the wrestling team and performs in school plays.

National Rare Eye Disease Awareness Day will highlight exceptional individuals like Michael and Mitchell as they overcome challenges and show us true inspiration.

In doing so, this day will increase awareness for all rare eye diseases and conditions that lead to blindness as well as the need for increased funding for research and for accessibility of treatments.

As a member of the congressional Rare Disease Caucus and as a voice for the Smedleys and the millions more living with blindness, I am proud to introduce this resolution today. I urge my colleagues' support.

#### CLOSING GUANTANAMO IS A MISPLACED PRIORITY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, the 2016 National Defense Authorization Act

prevents the President from closing the detention facility at Guantanamo Bay unless he submits a plan that receives congressional approval. He has not. This week President Obama submitted the plan to close the prison anyway.

There are currently 91 detainees at Guantanamo Bay. There were 242 when the President took office. His plan calls for transferring 35 of the remaining detainees to other countries.

These detainees have been cleared for transfer by the relevant national security agencies. Approximately 60 detainees will be transferred to facilities in the United States on our own soil. These are not even specified in the plan.

The Department of Defense has identified many potential sites, but again this has not received congressional approval. Construction for a new facility on American soil would cost nearly half a billion dollars.

With all these things going on, with the former GTMO detainees being rearrested for recruiting new ISIS members and an expiration of the timeline for developing an ISIS plan to defeat ISIS, this is a misplaced priority by the President.

We need to stick to the business of what is going to keep our country safe, not fulfill some campaign promise.

□ 1215

#### FUTURE FARMERS OF AMERICA WEEK

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as a senior member of the House Agriculture Committee, I rise today in recognition of Future Farmers of America, or FAA, Week.

Earlier this week, the Nation marked the birthday of our first President, George Washington. Since 1948, the week of Washington's birthday has also been FAA Week due to the President's legacy as an agriculturalist and a farmer.

Agriculture is a key to not only the history and heritage of our Nation, but also to Pennsylvania and to our Commonwealth's Fifth Congressional District. It is important that we help the future leaders of this industry continue to grow, ensuring that the future of agriculture is just as bright as its present and past.

"I believe in the future of agriculture" are the first words from the FFA creed. Earlier this year, I met with FAA members from across Pennsylvania, at the Pennsylvania Farm Show, where I held a forum focused on agriculture issues. I was impressed with their knowledge of issues currently impacting farming across the Nation and was inspired by their vision for the future. Echoing the words of the FFA creed, I am sure that, with the dedication of FAA members across the

Nation, the future of agriculture is in good hands.

#### GUANTANAMO BAY PRISONER TRANSFERS

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, on November 25, 2015, our Commander in Chief made the 2016 National Defense Authorization bill the law of the land.

Section 1030 of that law states, in part, that no amounts authorized may be used to transfer or release, within the United States, Khalid Sheikh Mohammed or any other detainee.

On Monday, despite those clear words, our Commander in Chief announced that he would try to transfer Guantanamo Bay detainees to American soil. His reason? A political campaign promise he made nearly one decade ago is more important than keeping Khalid Sheikh Mohammed behind bars.

Mr. Speaker, the American people want Khalid Sheikh Mohammed's last breath to be in prison in Guantanamo Bay, Cuba. This House—their House—will grant their wish.

#### RESTORING ARTICLE I

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise today to talk about legislation that my colleagues and I recently introduced that works to restore our article I powers of the Constitution.

We all learned about separation of powers in our grade school civics class. As you know, this separation protects that one branch of government doesn't overrule or overstep another. It also ensures that the power of the American people is never diminished.

Article I specifically grants legislative powers to Congress, as Congress was established to be the most direct voice of the people. We are the people's House. It seems the President simply chooses to ignore this.

I have consistently heard from folks in the 12th District who are sick and tired of this administration overstepping its boundaries and oversteering its welcome in their lives. Americans—myself included—are frustrated with an executive branch that goes around Congress to create new rules and regulations daily.

My biggest disappointment as a new Member of Congress is our lack of authority to carry out the will of the American people in this House. As an original cosponsor of H.R. 613, I strongly support this legislation and urge my colleagues to join me in restoring and respecting the most sacred document in our Nation's history—our Constitution.



### CELEBRATING BLACK HISTORY MONTH

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to celebrate Black History Month and the remarkable contributions of Black Hoosiers to our State and country:

Take, for instance, Madam C.J. Walker, a visionary leader who rose from being orphaned at age 7 to becoming an accomplished entrepreneur of hair care products and a prolific philanthropist in the Indianapolis community. She was also America's first self-made female millionaire;

Or Emma Christy, Indianapolis' first female police officer, who patrolled the city's streets with the department's all-female unit, the largest in the world in 1921;

Or the 1955 Crispus Attucks State Championship basketball team. It was the first all-Black team to win a State title.

These are just some of the many African American Hoosiers who have helped shape Indiana's history, enriched our community, and transformed our Nation.

As this month draws to a close, let us continue to honor and recognize all of the trailblazing Black Hoosiers who have contributed so much. We recognize that their great work has paved the path we walk today and leaves lasting legacies in their wake.

### CARBON CAPTURE ACT

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. Mr. Speaker, the United States is blessed with nearly 30 percent of the world's coal reserves—more than twice that of the nearest coal reserve country, Russia, and three times as much as China.

Colorado is America's 10th leading coal producer. In Colorado's Third Congressional District, mines in communities like Craig and Delta provide critical jobs and tax revenues as they responsibly produce reliable, affordable electricity on which countless Americans rely.

One thing is certain: the people who work in Colorado's mines and coal-fired power plants take great pride in their communities and the natural environment. They want to develop the land's abundant resources as responsibly as possible with as small a footprint as possible.

I do not support the President's Clean Power Plan and have voted to stop this onerous Federal overreach multiple times. However, as industry continuously searches for safer and more efficient ways to produce energy, we will need to incentivize the improvement of technology. Passing the

Carbon Capture Act will help facilitate that.

Our economic, national, and energy security are all served through ensuring that the ability to use our natural resources responsibly to provide abundant, affordable energy continues.

### EATING DISORDERS AWARENESS

(Mrs. ELLMERS of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ELLMERS of North Carolina. Mr. Speaker, I rise today in recognition of National Eating Disorders Awareness Week.

This annual campaign sheds light on a disease that affects nearly 30 million Americans and has the highest mortality rate of any mental illness. While recovery is certainly possible, early detection and intervention is key. Unfortunately, many people are unfamiliar with the signs typically associated with an eating disorder.

This is why I introduced a bipartisan bill with several of my female colleagues, H.R. 4153, the Educating to Prevent Eating Disorders Act. It would create a pilot program in middle schools to begin educating school counselors, teachers, and nurses about the symptoms of eating disorders.

The facts are clear: education and early detection save lives. This legislation, H.R. 4153, would allow for us to provide both. We have a responsibility to improve the public's understanding of eating disorders so that we can prevent this mental illness.

### PROVIDING FOR CONSIDERATION OF H.R. 2406, SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2015

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 619 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 619

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All

points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

### GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, House Resolution 619, providing for consideration of H.R. 2406, the SHARE Act, also commonly known as the sportsmen's bill.

The rule provides for consideration of H.R. 2406 under a structured rule, with 17 amendments made in order that are roughly evenly split between Democratic and Republican members of this legislative body.

Mr. Speaker, the SHARE Act is an important bipartisan package of proposals that will promote greater opportunities for hunting, fishing, and outdoor recreation, as well as safeguard the rights of hunters, anglers, and recreational shooters.

While similar bills have passed the House in the past two Congresses, the Senate has failed to adopt them, making this legislation long overdue. This is especially true when considering the current administration's ongoing assault on the Second Amendment, as well as their restrictions on access to Federal land. This includes restricting hunting and shooting on Federal lands,

where many people go to participate in these time-honored American activities.

The Congressional Sportsmen's Foundation recently stated that roughly 37 million American sportsmen and -women spend over \$90 billion annually on outdoor sport activities, highlighting the important economic impact this legislation will have on small businesses across the country that comprise our recreational industries.

Mr. Speaker, these outdoor activities are deeply ingrained in America's heritage and culture, with the values they instill passed down from generation to generation. In fact, according to a 2013 Congressional Sportsmen's Foundation report, hunting, fishing, and shooting are growing in popularity throughout the country, with almost 40 million people over the age of 16 hunting or fishing in the United States. However, over the past 7 years, we have seen the Federal Government continually find ways to block law-abiding Americans from exercising this most fundamental right. People all across my State of central Washington are avid hunters, anglers, and outdoorsmen. Many Americans, especially in the West, look to our vast Federal lands to hunt, fish, and shoot.

Unfortunately, over the past few years, we have seen Federal agencies such as the U.S. Forest Service and the Bureau of Land Management prevent or impede access to Federal lands which should otherwise be available for these purposes. Lack of access to acceptable areas to participate in these activities is often one of the main reasons why sportsmen and -women stop participating in these traditional American pastimes. Ensuring the public has reliable access to our Nation's Federal lands must remain a priority of this Congress.

Mr. Speaker, we should be fostering and growing participation in outdoor sporting activities—rather than trying to create regulatory barriers that drive Americans away from them—which instill important lifelong values and principles.

□ 1230

These include responsibility, firearm safety and conservation, as well as patience, discipline, respect for wildlife, and most of all, appreciation of our country's rich natural heritage and beautiful national parks, forests, and vast wilderness areas.

H.R. 2406 is critical to protecting our way of life and ensuring all Americans have the ability to enjoy outdoor recreation and develop a profound appreciation for our country's marvelous natural landscapes.

This legislation is comprised of a number of provisions that will help provide future generations of Americans with access to our country's Federal lands for outdoor recreation, sport shooting, hunting, and fishing.

The measure will also reaffirm the Second Amendment rights of Ameri-

cans to lawfully carry firearms on Federal lands.

Additionally, it will help prevent Federal overreach, eliminate regulatory impediments, and protect against the promulgation of new, onerous regulations that impede access or restrict lawful activities on Federal lands.

Sportsmen are natural stewards of public lands and greatly contribute to habitat and wildlife conservation, so I find it difficult to understand the rationale behind many of these Federal decisions.

Mr. Speaker, the SHARE Act also includes legislation that I introduced, the Federal Land Transaction Facilitation Act, or FLTFA, which authorizes the BLM to sell surplus lands to States, localities, or private entities that can be put then to economically beneficial use.

Since its initial enactment, FLTFA reduced Federal land ownership by more than 9,000 acres over the course of a decade, while also enhancing access for hunting, fishing, and shooting on these Federal lands.

This critical program brings a commonsense approach to land transactions and helps streamline land ownership patterns, all without spending taxpayer funds or adding to the surplus of federally owned property.

Additionally, the bill includes the Recreational Land Self-Defense Act, legislation that protects the ability of gun owners to exercise their Second Amendment rights when they are legally camping, hunting, and/or fishing on property owned by the Army Corps of Engineers.

Like many in Central Washington, I grew up responsibly exercising the right to bear arms, and I am a long-standing advocate for the protection of those rights, which is why I am proud to cosponsor this bill.

In my district, access to Federal lands is of paramount importance, and the SHARE Act will ensure that sportsmen, outdoorsmen, and all Americans wishing to enjoy our treasured Federal parks and forests have the ability to do so.

For this reason, I have also introduced an amendment to the SHARE Act that would require the U.S. Forest Service to publish a notice in the Federal Register, along with a justification for the closure of any public road in our forests.

In Central Washington and across our country, the Forest Service has closed public roads with no prior notification, preventing access to public areas in our region's national forests. Often, these blocked roadways have been in use for decades, and many local residents rely on them for both everyday activities as well as for recreational purposes.

The first indication of a closure should not come when an individual is faced with an impassable roadway, but, rather, through an adequate public notice from the Forest Service, which my amendment would provide.

Our country has a deep and long-standing tradition of using Federal land for outdoor and recreational activities, and protecting the ability of Americans to use our abundant Federal lands for these purposes must remain one of our top priorities in Congress, which is why I am committed to working with my colleagues in the House and in the Senate to advance this much-needed legislation.

Mr. Speaker, for generations Americans have passed down these values to their children and to their grandchildren, which have deeply ingrained hunting, fishing, and recreational shooting in America's heritage and our cultural fabric.

As I said, growing up in Central Washington, I experienced the importance of these values firsthand, and they continue to play an important role in my life to this very day.

The rule we consider here today provides for consideration of legislation that will protect these values, increase opportunities for hunters, anglers, and shooters, and ensure that future generations of Americans have equal opportunity to access and enjoy our Nation's vast public lands.

This is a good, straightforward rule, allowing for the consideration of a critically important measure. I support the rule's adoption, and I urge my colleagues to support the rule as well as the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman, my colleague on the Rules Committee, for yielding the customary 30 minutes to me.

Mr. Speaker, for months, the Chamber's majority has been bringing recycled bills to the floor to stall and waste time, knowing full well these bills will not be signed into law.

The majority has introduced no budget. Our infrastructure is crumbling. Americans are in need of new bridges, new roads, new water systems, schools, housing, and much more.

It has been said that it costs an estimated \$24 million to run the House of Representatives for a week, money basically wasted when we do bills like these.

As a matter of fact, I think if we were to add up all that money, we might even be able to do high-speed rail in the United States.

Wouldn't that be a new venture?

The majority has sidestepped addressing the high cost of a college education and the student loan debt crisis. They have put their heads in the sand concerning the threat of the Zika virus.

We have done nothing about the century-old water pipes crisscrossing the country, even in light of the tragedy in Flint. No wonder Americans are so disgusted and angry. Instead of focusing on what people are crying out for, we now bring up this whole package of bills that has no chance of advancing.

Today we have the Sportsmen's Heritage and Recreational Enhancement Act. It advances an anti-conservation agenda at odds with the decades of longstanding tradition benefiting our uniquely American landscapes, wildlife, and sporting community.

The SHARE Act cobbles together seven separate legislative proposals, along with six other titles. Now, that is some seamstress work. It is a grab bag that includes provisions that would undermine the Wilderness Act, the National Environmental Policy Act, and other essential conservation laws.

What's more, the SHARE Act would drive the extinction of domestic and international wildlife by adding language that would block the administration's efforts under the Endangered Species Act to stop ivory trafficking—it basically says that you can, if you go on a safari, bring back elephant tusks because they are not in any danger, despite what we all hear to the contrary—and to prevent the slaughter of American elephants, which is necessary to get those tusks.

The U.S. Fish and Wildlife Service wouldn't be able to stop the illegal ivory trade, and the importation of polar bears would be made possible again.

But I think one of the worst things is it brings back the traps that captured so many of people's pets, small animals who died a very cruel and long death. Why in the world would we do that? What is sporting about catching an animal, sometimes a person, or a pet, in something from which they cannot extricate themselves, and to suffer and to die?

Let's be clear. This bill undermines bedrock conservation laws. It won't benefit the average hunter or angler. People going on safaris might get something more out of it, like elephant tusks, but it will destroy years of work done by animal protection advocates and conservationists. The delicate balance at work in our ecosystem's food chain is not to be trifled with, and we disrupt it at our own peril.

Aside from rolling back decades of work conserving our majestic natural resources, the bill is a distraction from what we should be doing.

May I remind my colleagues on the other side of the aisle of a piece of wisdom from Teddy Roosevelt, America's favorite outdoorsman and actually the person who is responsible for the wonderful national parks that we have.

He said, and I quote: "We are prone to speak of the resources of this country as inexhaustible; this is not so."

If he had this worry that we have today here, 100 years ago, I can only imagine what he would think of this state of affairs.

I urge a "no" vote on this rule and a "no" vote on the underlying legislation.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I would just respond that certainly there are many issues facing Congress

today, many important things that we have to consider in many issue areas, but that should not preclude us from addressing a very important issue, and that is access to our national, our Federal lands by sportsmen, by hunters, by fishers.

Protecting the ability of Americans to enjoy our natural abundance of Federal lands, I think, is something that our President Roosevelt, who the distinguished gentlewoman from New York quoted, would be very much in favor of. Certainly he was a proponent of enjoying those same Federal lands.

Any efforts that we can put forth to make sure that we can continue those strong traditions of Americans being exposed to the great outdoors in this country is something that we should do all we can to preserve.

I might note, too, that this is a bipartisan-led effort in the House of Representatives. Passed in the last two Congresses, many of the provisions of this bill have enjoyed overwhelming bipartisan support, and this year we do have a clear path forward, as the committees in the other body across the rotunda are already marking up very similar legislation in their work on this important issue.

So I feel very positive about the direction we are taking, about the bipartisan nature of the effort that we have here before us today, and I think it is an important thing that we need to address, as well as many of the other things that the gentlewoman from New York discussed. But certainly this is something that we can and should move forward.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up a resolution that will require the majority to stop the partisan games and hold hearings on the President's budget proposal.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, just out of courtesy to the gentlewoman from New York, I do have one Member who would like to speak on this bill, if that is okay with you.

Ms. SLAUGHTER. Of course.

□ 1245

Mr. NEWHOUSE. So, with that, I would be very happy to yield such time as he may consume to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, I rise today in support of H.R. 2406, the

Sportsmen's Heritage and Recreational Enhancement Act of 2015, or the SHARE Act.

The SHARE Act has 13 important provisions that will work to expand opportunities for sportsmen and -women to enjoy their favorite outdoor activities around the country.

Title II of this bill, which I authored, is the Recreational Fishing and Hunting Heritage and Opportunities Act. I grew up in northern Michigan and, like many of my constituents, spent my summers fishing and the fall hunting grouse in the UP woods.

These traditions—spending quality time outdoors with our kids and grandkids—are the kinds of things we must make sure are preserved for generations to come.

This portion of the SHARE Act seeks to create an open until closed policy for sportsmen's use of Federal lands.

As you know, nearly one-quarter of the United States landmass, or over 500 million acres, are Federal lands that are owned by all Americans. It is important that the right to fully utilize these lands is ensured for future generations.

Over the years, legislative ambiguity has allowed antihunting groups to pursue an antihunting agenda that has eliminated opportunities for many of these activities on our Federal lands. Groups like these are taking advantage of loopholes in the law to deprive our constituents of the right to fully use Federal lands.

Recreational anglers, hunters, and sporting organizations, many of whom have endorsed this bill, are passionate supporters of the conservation movement. These dedicated sportsmen and -women deserve to know that the land they cherish will not be closed off to hunting, fishing, and shooting for future generations.

This is a bipartisan issue. Both Presidents Clinton and Bush issued executive orders recognizing the value of these heritage activities. It is time we finally close the loopholes, firm up the language, and make sure that future generations will always be able to enjoy the outdoors, hunting, fishing, shooting, or just taking a walk in the woods.

I encourage all my colleagues today to join me in supporting this piece of commonsense legislation.

Mr. NEWHOUSE. Mr. Speaker, I yield to the gentlewoman from New York (Ms. SLAUGHTER) for an opportunity to respond, since she already yielded back her time.

Ms. SLAUGHTER. That is very kind of the gentleman, but I continue to yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I do have one more speaker who would like to say a few words on this issue.

I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), the sponsor of the bill.

Mr. WITTMAN. Mr. Speaker, I rise to support today's rule.

Mr. Speaker, I am proud to join with Sportsmen's Caucus Co-chair TIM WALZ

and Caucus Vice Chairs JEFF DUNCAN and GENE GREEN in introducing H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act, better known as the SHARE Act.

This bipartisan package of legislation protects and advances hunting, angling, and recreational shooting traditions and also promotes fish and wildlife conservation efforts.

The SHARE Act passed the House of Representatives in both the 113th and 112th Congress with bipartisan support, and in October 2015 the Natural Resources Committee voted 21–15 in favor of the bill.

In addition, H.R. 2406 is supported by the Nation's leading hunting and fishing conservation organizations, which represent millions of sportsmen and -women across the Nation.

This commonsense proposal will expand opportunities for hunting and fishing and promote conservation across the United States, particularly on Federal lands. In many parts of the country, American sportsmen and -women rely on access to Federal lands to hunt, fish, and recreationally shoot.

This bill would expand access to these lands by requiring the Bureau of Land Management and the U.S. Forest Service to keep lands open for hunting, fishing, and recreational shooting unless there is a specific reason to close them.

The bill also requires the National Park Service or Office of National Marine Sanctuaries to consult with State fish and wildlife agencies prior to closing areas to fishing, and allows State fish and wildlife agencies the added flexibility needed to construct public shooting ranges.

The SHARE Act also protects Second Amendment rights. It ensures the rights of law-abiding citizens to possess firearms on lands and waters managed by the United States Corps of Engineers, which is consistent with rights afforded on other Federal public lands. The bill also prevents the Environmental Protection Agency from unnecessarily regulating ammunition and fishing tackle.

As an avid sportsman, I am humbled to advocate for this commonsense legislation. I am proud, also, to introduce it in order to advance the priorities of American sportsmen and -women.

I encourage my colleagues to ensure that America's hunting and fishing heritage remains a top priority for the Federal Government for years to come and to pass this critical legislation.

Mr. Speaker, I urge my colleagues to support the rule and to support H.R. 2406.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, let me first say I very much appreciate the distinguished gentlewoman's indulgence on allowing folks to speak on this issue. As you can tell, it is very important to a lot of people. So I thank her very much for her polite indulgence.

Mr. Speaker, the debate that we have had here today underscores the impor-

tance of the legislation that is considered under this rule.

I believe we must take a firm stand against executive overreach on the infringement of Americans' constitutional rights to keep and bear arms by protecting the Second Amendment as well as protecting the public's access to Federal lands for the purposes of hunting, fishing, and sports shooting.

People all across the country are avid hunters, anglers, and outdoorsmen, often utilizing public lands for those purposes, and the SHARE Act will ensure that the Federal Government does not restrict their ability to participate in these activities.

Federal lands represent an important and precious national resource for many mixed-use purposes. We must not tolerate efforts by Federal agencies such as the Forest Service or the BLM to restrict, impede, or prevent access to Federal lands that should otherwise be available for use by our country's outdoor enthusiasts as well as sportsmen and -women.

By adopting this rule, providing for consideration of the underlying bill, the House will be taking an important step toward resolving many of the long overdue issues facing our country's outdoor recreational community.

The SHARE Act will allow the values instilled by hunting, fishing, and recreational shooting to be passed down to future generations of Americans, just as our parents passed them to many of us.

This is particularly important to me because, as a farmer, I consider myself a conservationist, a steward of our resources, and believe we have a responsibility to use our natural resources wisely and with care, preserving them for those who come after.

Mr. Speaker, this is a good, straightforward rule allowing for consideration of a long overdue piece of legislation that ensures future generations have access to our country's Federal lands for outdoor recreation and sporting activities.

I have certainly appreciated the discussion here today, which underscores the importance of this issue to so many people. I believe this rule and the underlying bill are strong measures that are important to preserving our Nation's cultural heritage.

Mr. Speaker, I urge my colleagues to support House Resolution 619 and the underlying bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 619 OFFERED BY  
MS. SLAUGHTER

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 624) Directing the Committee on the Budget to hold a public hearing on the President's fiscal year 2017 budget request with the Director of the Office of Management and Budget as a witness. The resolution shall be considered as read. The previous question shall be

considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the resolution specified in section 2 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools

for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

### FRAUDULENT JOINDER PREVENTION ACT OF 2016

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3624.

The SPEAKER pro tempore (Mr. WITTMAN). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 618 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3624.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1254

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1300

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Hardworking Americans are some of the leading victims of frivolous lawsuits and the extraordinary costs that our legal system imposes. Every day, local businessowners routinely have lawsuits filed against them, based on claims they have no substantive connection to, as a means of forum shop-

ping on the part of the lawyers filing the case. These lawsuits impose a tremendous burden on small businesses and their employees. The Fraudulent Joinder Prevention Act, introduced by Judiciary Committee Member KEN BUCK from Colorado, will help reduce the litigation abuse that regularly drags small businesses into court for no other reason than as part of a lawyer's forum shopping strategy.

In order to avoid the jurisdiction of the Federal courts, plaintiffs' attorneys regularly join instate defendants to the lawsuits they file in State court, even if the instate defendants' connections to the controversy are minimal or nonexistent.

Typically, the innocent but fraudulently joined instate defendant is a small business or the owner or employee of a small business. Even though these innocent instate defendants ultimately don't face any liability as a result of being named as a defendant, they nevertheless have to spend money to hire a lawyer and take valuable time away from running their businesses or spending time with their families to deal with matters related to a lawsuit to which they have no real connection.

To take just a couple of examples, in *Bendy v. C.B. Fleet Company*, the plaintiff brought product liability claims against a national company for its allegedly defective medicinal drink. The plaintiff also joined a resident local defendant health clinic alleging it negligently instructed the plaintiff to ingest the drink. The national company removed the case to Federal Court and argued that the small local defendant was fraudulently joined because the plaintiff's claims against the clinic were time-barred by the statute of limitations, showing "no possibility" of recovery.

Despite finding the possibility of relief against the local defendant "remote," the court remanded the case after emphasizing how hard it is to demonstrate fraudulent joinder under the current rules. The court practically apologized publicly to the joined party, stating: "The fact that Maryland courts are likely to dismiss Bendy's claims against the local defendant is not sufficient for jurisdiction, given the Fourth Circuit's strict standard for fraudulent joinder."

Shortly after remand, all claims against the local defendant were dismissed, of course, after its presence in the lawsuit served the trial lawyer's tactical purpose of keeping the case in their preferred State court. When courts themselves complain about the unfairness of current court rules, Congress should take notice.

In *Baumeister v. Home Depot*, Home Depot removed a slip-and-fall case to Federal Court. The day after removal and before conducting any discovery, the plaintiff amended the complaint to name a local business, which it alleged failed to maintain the store's parking lot. The court found the timing of the

amended complaint was "suspect," noting the possibility "that the sole reason for amending the complaint to add the local defendant as a defendant . . . could have been to defeat diversity jurisdiction."

Nevertheless, the court held Home Depot had not met its "heavy burden" of showing fraudulent joinder under current law because the court found it was "possible," even if it were just a tenth of a percent possible, that "the newly added defendant could potentially be held liable," and remanded the case back to State court. Once back in State court, the plaintiff stipulated to dismiss the innocent local defendant from the lawsuit, but only after it had been successfully used as a forum shopping pawn.

Trial lawyers join these unconnected instate defendants to their lawsuits because today a case can be kept in State court by simply joining as a defendant a local party that shares the same local residence as the person bringing the lawsuit. When the primary defendant moves to remove the case to Federal Court, the addition of that local defendant will generally defeat removal under a variety of approaches judges currently take to determine whether the joined defendant prevents removal to Federal Court.

One approach judges take is to require a showing that there is "no possibility of recovery" against the local defendant before a case can be removed to Federal Court, or some practically equivalent standard. Others require the judge to resolve any doubts regarding removal in favor of the person bringing the lawsuit. Still, others require the judge to find that the local defendant was added in bad faith before they allow the case to be removed to Federal Court.

The current law is so unfairly heavy-handed against innocent local parties joined to lawsuits that Federal Appeals Court Judge J. Harvie Wilkinson of the Fourth Circuit Court of Appeals has publicly supported congressional action to change the standards for joinder, saying: "That's exactly the kind of approach to Federal jurisdiction reform that I like because it's targeted. And there is a problem with fraudulent jurisdiction law as it exists today, I think, and that is that you have to establish that the joinder of a nondiverse defendant is totally ridiculous and that there's no possibility of ever recovering . . . That's very hard to do. So I think making the fraudulent joinder law a little bit more realistic . . . appeals to me because it seems to me the kind of intermediate step that addresses some real problems."

The bill before us today addresses those real problems in two main ways:

First, the bill allows judges greater discretion to free an innocent local party from a case where the judge finds there is no plausible case against that party. That plausibility standard is the same standard the Supreme Court has said should be used to dismiss pleadings for failing to state a valid legal



claim, and the same standard should apply to release innocent parties from lawsuits.

Second, the bill allows judges to look at evidence that the trial lawyers aren't acting in good faith in adding local defendants. This is a standard some lower courts already use to determine whether a trial lawyer really intends to pursue claims against the local defendant or is just using them as part of their forum shopping strategy.

This bill is strongly supported by the National Federation of Independent Business, representing America's small businesses, and the U.S. Chamber of Commerce, among other legal reform groups.

Please join me in supporting this vital legislation to reduce litigation abuse and forum shopping and to protect innocent parties from costly, extended, and unnecessary litigation.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Members of the House, H.R. 3624, the so-called Fraudulent Joinder Prevention Act, is not really about fraud. Rather, this measure is just the latest attempt to tilt the civil justice system in favor of corporate defendants by making it more difficult for plaintiffs to pursue State law claims in State courts.

Here is why I say that. To begin with, H.R. 3624 addresses a nonexistent problem. Under current law, a defendant may remove a case alleging solely State law claims to a Federal court only if there is complete diversity of citizenship between all plaintiffs and all defendants, with an exception. If the plaintiff adds an in-state defendant to the case to defeat diversity jurisdiction, this constitutes fraudulent joinder and, in such circumstance, the case may be removed to Federal court.

In determining whether a joinder was fraudulent, the court must consider only whether there was any basis for a claim against the nondiverse defendant. For the case to remain in Federal Court, the defendant must show that there was no possibility of recovery or no reasonable basis for adding the nondiverse defendant.

This very high standard has ignited our Federal Courts for more than a century, and it has functioned well. H.R. 3624 would replace this time-honored standard with a thoroughly ambiguous one. The measure would require a remand motion to be denied unless the court finds, among other things, that it is "plausible to conclude that the applicable State law would impose liability" on an in-state defendant; that the plaintiff had a "good faith intention to prosecute the action against each" in-state defendant or to seek a joint judgment; and that there was no "actual fraud in the pleading of jurisdictional facts."

Additionally, H.R. 3624 would effectively overturn the local defendant exception, which prohibits removal to

Federal Court even if complete diversity of citizenship exists when the defendant is a citizen of the State where the suit was filed.

The bill's radical changes to long-standing jurisdictional practice reveal the true purpose of this measure. It is simply intended to stifle the ability of plaintiffs to have their choice of forum and, possibly, even their day in court.

In addition, H.R. 3624 would sharply increase the cost of litigation for plaintiffs and further burden the Federal court system. For example, terms like "plausible" and "good faith intention" are not defined in the bill. This ambiguity will lead to greater uncertainty for both courts and litigants and will spawn substantial litigation over their meaning and application, further delaying many decisions in many cases.

Additionally, these standards require a court to engage in a minitrial during an early procedural stage of a case, without an opportunity for the full development of evidence. Thus, the bill would sharply increase the burdens and costs of litigation for plaintiffs and make it more likely that they would be prevented from choosing the forum for their claims.

□ 1315

Finally, the amendments made by this bill raise fundamental federalism concerns. Subject to certain exceptions as set forth in our Constitution, matters of State law should be decided by State courts. The removal of a State court case to Federal court always implicates federalism concerns, which is why the Federal courts generally disfavor Federal jurisdiction and read removal statutes narrowly.

H.R. 3624, however, ignores these federalism concerns. By applying sweeping and vaguely worded new standards to the determination of when a State case must be remanded to a State court, the bill denies State courts the ability to decide and ultimately to shape State law. H.R. 3624 not only violates State sovereignty, but it also violates our fundamental constitutional structure.

Accordingly, I sincerely urge my colleagues to join me in opposing this problematic legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume to respond to some of the points raised by the gentleman from Michigan (Mr. CONYERS), the ranking member.

First of all, it is not this bill that removes cases from State courts to Federal courts. It is the United States Constitution and the Federal laws that have been passed by this Congress for over 200 years that recognize the importance of the principle of diversity jurisdiction and of having parties from different States in cases in controversy able to remove those cases to the Federal system, which represents all citizens, not just the citizens of one State, as State courts are sometimes perceived as doing.

Secondly, it is not this legislation that creates the kind of circumstance that the gentleman from Michigan claims it does of denying access to the courts. Rather, it is the purpose of this legislation to treat people fairly who have been treated unfairly in the process. If you have no liability in a case, you should not be sued in the first place.

If you are sued by a lawyer who is trying to manipulate the rules in order to keep a case in a court that he has forum-shopped—in other words, he has picked the court that he prefers it to be in—that individual or business, as quickly as possible, should be able to seek redress from the Federal court so as to have a determination made about whether or not it is indeed a party that is "plausibly liable," which is a Supreme Court standard to be held in the case.

If it is not a party, then the rules of Federal procedure would allow for the removal of that case to Federal court. So we should not be blaming innocent parties for spoiling the plans of trial lawyers to try to forum-shop into a favorable jurisdiction.

Let me make a few other quick points about federalism.

Some of the rhetoric on the other side suggests that it is somehow strange for Federal courts to be deciding State law claims, but as a matter of history, that is totally inaccurate. State law claims are heard by Federal courts whenever the Federal courts have the diversity jurisdiction that is outlined in the Constitution.

That has been a major part of the Federal trial court's work for far longer than Federal claims have existed, and out-of-State defendants have been able to remove civil cases from State courts since the beginning of the Federal judicial system created by the very first Congress of which James Madison and many other Founders were members.

All the bill before us today does is protect the right of removal from being subverted by blatant gamesmanship on the part of trial lawyers. H.R. 3624 also protects in-State individuals and small businesses from being dragged into litigation just so the plaintiff can keep the case in State court when the plaintiff's primary target is an out-of-State corporation.

Is it really unfair to say to the trial lawyer, "when your real target is an out-of-State corporation but you want to keep the case in State court, you have to come up with a claim against the local in-State individual or small business that is at least plausible"?

That is the simple, fair, and modest demand that this bill makes on trial lawyers.

Is it fair to the local individual or small business that it is required to bear the costs and other burdens of litigation when the claim against it isn't even plausible?

No, it is not, but that is what is allowed under current law, and that is what H.R. 3624 will correct.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Somehow the gentleman from Virginia has misunderstood what I said or has mischaracterized what I said.

This bill makes it too difficult to remand cases back to State courts to the point at which federalism concerns are raised and plaintiffs are frequently harmed.

Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN), a distinguished member of the Judiciary Committee.

Mr. COHEN. I thank the ranking member.

Mr. Chairman, this bill which has come before our committee is one that the President has said he will veto because the President says that it is a "solution that is looking for a problem" or something to that effect.

This bill will make it more difficult for plaintiffs—people who have been harmed—to get relief because their cases in State courts can more easily be removed to Federal courts.

Now, the gentleman from Virginia is exactly right in that it has always been permitted. You can remove a case to Federal court if you can show that the plaintiff in the State court is not a proper plaintiff, if you can show that there is diversity of citizenship and not complete diversity.

The problem is that this has always been the rule, and it is the way the rule is now; but the courts have not come to us and said this is a problem and have asked us to correct it. We are correcting this because the corporate defendants want to make it easier for them to remove these cases to courts at which they will get better results. It will make it more difficult for plaintiffs to get judgments in State courts, which have historically been a bit healthier. This makes it almost impossible.

It increases litigation. It makes you, on the front end, have to show your case. It increases the cost to the courts and the burden on the courts. It will make the government larger because there will be more activity in Federal court if this becomes law. It will take from the States the right to determine their own State laws, which is generally the position of my friends on the other side—being for states' rights. In certain parts of our country, including in my part of the country, they have been known to sometimes talk poorly about the Federal courts. This gives the Federal courts more power.

It is an aberrant position that this side has taken, kind of like they took when we had reciprocity on gun permits. Rather than having States' laws be paramount, they thought the Federal law should superimpose it. We have got a situation by which the idea of States' laws being sovereign and States having more authority and giving more power to the States falls second to being for things that corporations and the NRA desire. In those

cases, states' rights come second, and that is an unusual aberration.

This bill will probably not pass the Senate, but if it does, it will be vetoed, and it won't be overridden.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. I yield the gentleman an additional 1 minute.

Mr. COHEN. Yesterday we had a program at which we honored the foot soldiers of the civil rights movement. One of the Republican Senators confessed: "I should have done more." I hear that from a lot of folks from the South. They go to Selma and they march and they say they should have done more.

Meanwhile, one can do something today because there is a Voting Rights Act that needs to be extended or amended and approved to give people the ultimate thing that America is most well-known for, which is the right to vote in a democracy.

Voting rights are in peril in our country, income inequality continues, and millions of Americans of both parties are voting for candidates who appeal to those folks. Race relations between police and minority communities are fraught, young people have tremendous burdens of student loan debt, and our infrastructure is in danger.

Let's deal with those issues and let's make Congress great again.

Mr. GOODLATTE. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. BUCK), the chief sponsor of this legislation and a member of the House Judiciary Committee.

Mr. BUCK. I thank the gentleman.

Mr. Chairman, in many cases a trial lawyer's main target is a national business, but if the only defendant in the case is an out-of-State business, the case can be heard in Federal court rather than in a local State court, which trial lawyers often prefer.

By also suing a local defendant in addition to the national defendant, who are the true targets of the lawsuits, trial lawyers can keep their cases in the preferred State courts.

Trial lawyers who sue innocent local people and small businesses simply to keep the lawsuits in their preferred State courts usually drop their cases against these innocent local parties but only after their cases are safely back in State courts and only after the innocent local parties have had to spend time and money in dealing with the lawsuits. That is not right. Trial lawyers shouldn't be able to subject innocent local people and small businesses to costly and time-consuming lawsuits just to rig the places in which their lawsuits will be heard.

This unfairness led respected Federal appeals court Judge J. Harvie Wilkinson of the Fourth Circuit Court of Appeals to publicly support congressional action to change the standards for joinder to allow judges greater flexibility in making the right decisions on questions of removal to Fed-

eral court and to give Federal judges greater discretion to determine earlier in the case whether a local party joined to the lawsuit is there for a good reason or for fraudulent reasons.

H.R. 3624 is precisely the kind of remedy urged by Judge Wilkinson, who has said:

That is exactly the kind of approach . . . that I like because it is targeted; and there is a problem with fraudulent jurisdiction laws as it exists today, I think, and that is that you have to establish that the joinder of a non-diverse local defendant is totally ridiculous and that there is no possibility of ever recovering. . . . That is very hard to do. So I think making the fraudulent joinder law a little bit more realistic . . . appeals to me because it seems to me the kind of intermediate step that addresses some real problems.

H.R. 3624 would protect innocent local defendants in two main ways.

First, the bill allows Federal judges greater discretion to release local defendants from a case where it is not plausible to conclude, as a legal matter, that applicable State law would impose liability on the local defendant. The term "plausible" is taken from the Supreme Court's jurisprudence that interprets rule 8 of the Federal Rules of Civil Procedure, and the Court's decisions provide substantial guidance as to the meaning of the term.

Initially, in *Bell Atlantic Corp. v. Twombly*, the Court distinguished between plausible claims and claims that are speculative:

Factual allegations must be enough to raise a right to relief above the speculative level.

Later, in *Ashcroft v. Iqbal*, the Court stated:

The plausibility standard . . . asks for more than a sheer possibility that a defendant has acted unlawfully. This standard demands more than an unadorned, 'the defendant unlawfully harmed me' accusation or threadbare recitals of the elements of a cause of action, supported by mere conclusory statements.

Professor Martin H. Redish, one of the Nation's foremost scholars of Federal court jurisdiction, has written:

The *Twombly/Iqbal* plausibility standard represents the fairest and most efficient resolution of the conflicting interests in the context of pleading.

It will similarly provide a fair and efficient approach in the context of fraudulent joinder.

Second, the bill codifies a proposition that the Supreme Court has long recognized: that in deciding whether joinder is fraudulent, courts may consider whether the plaintiff has a good faith intention of seeking a judgment against the local defendant.

Consistent with Supreme Court precedent, courts continue to find fraudulent joinder when objective evidence clearly demonstrates there is no good faith intention to prosecute the action against all defendants.

As the Federal court in *Faulk v. Husqvarna Consumer Outdoor Products N.A., Inc.*, said:

Where the plaintiff's collective litigation actions, viewed objectively, clearly demonstrate a lack of good faith intention to



pursue a claim to judgment against a non-diverse local defendant, the court should dismiss the nondiverse defendant and retain jurisdiction over the case.

□ 1330

The language of this provision is taken almost verbatim from an oft-cited decision in the Third Circuit, *In re Briscoe*: “The court said that joinder is fraudulent if ‘there is . . . no real intention in good faith to prosecute the action against the defendant or seek a joint judgment.’”

I urge all my colleagues to support this simple, commonsense bill that will protect innocent local parties from being dragged into expensive and time-consuming lawsuits for the sole reason of furthering a trial lawyer’s forum shopping strategy.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a veteran member of the House Judiciary Committee.

Mr. NADLER. Mr. Chairman, I rise in opposition to the so-called Fraudulent Joinder Prevention Act.

The main purpose of the bill is to make it easier to remove State cases to Federal courts where large corporate defendants have numerous advantages over consumers, patients, and injured workers.

This bill is yet another attempt by the Republicans to tilt the legal playing field in favor of large corporations. It will clog the Federal courts, drain judicial resources, upset well-established law, and delay justice for plaintiffs seeking to hold corporations accountable for harming consumers or injuring workers.

This bill is part of a general effort by the Republicans to close off access to the courts to ordinary Americans. With every step the Republicans take, whether it be to put forward bills to make class action suits more difficult, to remove more local cases to Federal courts, to reclassify more lawsuits as frivolous and subject to mandatory sanctions, or to oppose legislative attempts to limit mandatory arbitration clauses, they are transforming our system of justice.

Our courts are being turned into a forum where only very rich people can get justice, where corporations can easily escape liability, and where consumers and the injured can get no relief, and it is all tilted one way.

There is nothing in this bill or in any other bill put forward by the other side that will help ordinary consumers hold big corporations responsible for actions that harm the little guy.

Under this so-called Fraudulent Joinder Prevention Act, anytime there is a case with at least one in-state, non-diverse, and out-of-state, diverse, defendant, the defendants will use this forum shopping bill law to delay justice.

These attempted removals will result in contentious disputes over whether the court has jurisdiction. It will drain court time, as the courts will have to engage in almost a minitrial, reviewing

pleadings, affidavits, and other evidence submitted by the parties since this bill turns a simple procedural determination into a merits determination.

At a minimum, the bill will allow corporate defendants to successfully force the plaintiff to expend their limited resources on what should be a simple procedural matter.

Under this bill, this preliminary decision would become a baseless, time-consuming merits inquiry of the case before a second time-consuming merits inquiry on the substance. While large corporations can easily accommodate such cost, injured workers, consumers, and patients cannot.

I am amazed by some of my colleagues who, with this bill, will bring even more cases to our Federal courts. I don’t need to remind you that our Federal courts are facing an enormous number of judicial vacancies with no end in sight due to delays in confirmations in the other body.

Yet, this bill would increase the workload of the Federal courts with cases based on the flimsiest of Federal jurisdiction. It makes no sense. This bill will take up valuable Federal court time with State claims based on State law, preventing the Federal courts from hearing and managing cases that are properly before them.

Finally, despite its name, this bill is not about fraud. Indeed, the proponents cite no example that alleges actual fraud.

I would say this is a bill in search of a problem. I would say that, if I didn’t understand, the true purpose of the bill is not to stop fraud, but to further tilt the scales of justice in favor of big corporations over the needs of ordinary Americans.

For these reasons, I oppose it. I urge all of my colleagues to oppose this bill as well.

We should defeat this bill and start making Congress great again.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 3½ minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, just a few minutes ago the Judiciary Committee ranking and chairman were in a hearing that exuded bipartisan expressions for fixing the challenges that we have, with the location of data and international requests for data being held by America’s technology companies. It was an interesting and open discussion, which I want to evidence on the RECORD.

The Judiciary Committee is continuing and has had over the years bipartisan approaches to a number of difficult questions, which we have solved, including our approach to criminal justice reform. I thank the chairman and ranking member for that.

I also want to acknowledge that we have some challenges, as was evidenced by comments from the gentleman from

Tennessee, on the restoration of the Voting Rights Act. We find ourselves again in a challenge that I hope can be fixed.

First, I want to make it very clear that I practiced law for a number of years and served as an associate municipal court judge and as well was a quasi-prosecutor on the Select Committee on Assassinations which, I allow, this body did research when that select committee was in place the issues of the investigations of Dr. Martin Luther King’s assassination and John F. Kennedy.

So I know the importance of lawyers, of which I have the greatest respect and of which I am one. I understand that trial lawyers are representing both defendants and plaintiffs and corporations come into the court with trial lawyers. So I am a little taken aback by any suggestion that the words “trial lawyers” have a negative connotation.

Anyone who wants to win a case in a courtroom must have a lawyer, and you would want to make sure that they are a trial lawyer. As well, you want to make sure that you have the rights of due process.

So I would make the argument that trial lawyers go into court, whether they are representing corporations or plaintiffs. Corporations in many instances may be defendants.

In that case, I will tell you you are making it far more difficult by pushing cases into the Federal court under H.R. 3624. It is more expensive and they take longer, making it difficult for workers, consumers, and patients generally to have their cases closer to home in State courts.

However, there may be an instance where a corporation is a plaintiff and you will have the same blocking of that corporation by this bill.

If this bill was enacted, it would tip the scales of justice in favor of corporate defendants or others that make it more difficult for injured plaintiffs. It would effectively eliminate the local defendant exception by diversity jurisdiction. I heard someone say—and it bears repeating—it is a solution looking for a problem.

The current standard used by the courts to determine whether the joinder of a nondiverse defendant is improper, however, has been in place for a century. We have no evidence that this has put anyone in a position of not getting due process. That is our goal in the court system.

The fraudulent joinder doctrine is well established and, in fact, will only be found if the defendant establishes that the joinder of the diversity-destroying party in the State court was made without a reasonable basis. We have a system, but this particular bill reverses this longstanding policy by imposing new requirements.

Finally, Mr. Chairman, if I might, further taking away a defendant’s responsibility to prove that Federal jurisdiction over State cases is improper

alters the fundamental precept of a party seeking removal.

I ask my colleagues to recognize that we have bipartisanship on this committee.

I oppose this legislation and ask my colleagues to oppose it.

I thank the gentleman for yielding and rise in strong opposition to H.R. 3624, the "Fraudulent Joinder Prevention Act of 2016."

H.R. 3624 is the latest effort to deny plaintiffs access to the forum of their choice and, possibly, to their day in court.

H.R. 3624 seeks to overturn longstanding precedent in favor of a vague and unnecessary test that forces state cases into federal court when they don't belong there, and gives large corporate defendants an unfair advantage to pick and choose their forum without the normal burden of proving proper jurisdiction.

If enacted this bill would tip the scales of justice in favor of corporate defendants and make it more difficult for injured plaintiffs to bring their state claims in state court.

H.R. 3624 would effectively eliminate the local defendant exception to diversity jurisdiction under 28 U.S.C. 1441(b)(2), which currently prohibits removal to federal court even when there is complete diversity when a defendant is a citizen of the state in which the action is brought.

The current standard used by courts to determine whether the joinder of a non-diverse defendant is improper, however, has been in place for a century, and no evidence has been put forth demonstrating that this standard is not working.

Rather, the "Fraudulent Joinder Doctrine," is a well-established legal doctrine providing that: fraudulent joinder will only be found if the defendant establishes that the joinder of the diversity-destroying party in the state court action was made without a reasonable basis of proving any liability against that party.

H.R. 3624 reverses this longstanding policy by imposing new requirements on federal courts considering remand motions where a case is before the court solely on diversity grounds.

Specifically, it changes the test for showing improper joinder from a one-part test ("no possibility of a claim against a nondiverse defendant") to a complicated four-part test, requiring the court to find fraudulent joinder if: There is not a "plausible" claim for relief against each nondiverse defendant; There is "objective evidence" that "clearly demonstrates" no good faith intention to prosecute the action against each defendant or intention to seek a joint judgment; There is federal or state law that clearly bars claims against the nondiverse defendants; or There is actual fraud in the pleading of jurisdictional facts.

What should be a simple procedural question for the courts, now becomes a protracted mini-trial, giving an unfair advantage to the defendants (not available under current law) by allowing defendants to engage the court on the merits of their position.

By requiring litigation on the merits at a nascent jurisdictional stage of litigation based on vague, undefined, and subjective standards like "plausibility" and "good faith intention," and by potentially placing the burden of proof on the plaintiff, this bill will increase the complexity and costs surrounding litigation of state law claims in federal court and potentially dis-

suaude plaintiffs from pursuing otherwise meritorious claims.

Further, taking away a defendant's responsibility to prove that federal jurisdiction over a state case is indeed proper alters the fundamental precept that a party seeking removal should bear the heavy burden of establishing federal court jurisdiction.

The bill is a win-win for corporate defendants.

At its most harmful, it will cause non-diverse defendants to be improperly dismissed from the lawsuit.

At its least harmful, it will cause an expensive, time-consuming detour through federal courts for plaintiffs.

Wrongdoers would not be held accountable for the harm they cause, while the taxpayers ultimately foot the bill.

For example: large corporate defendants (i.e. typically the diverse defendants) would be favored by the bill because, if the nondiverse defendant is dismissed, they can blame the now-absent in-state defendant for the plaintiff's injuries.

Smaller, nondiverse defendants would also be favored because the diverse defendant does all the work for them.

The diverse defendant removes the case to federal court and then argues that the non-diverse defendant is improperly joined.

If the federal court retains jurisdiction, the nondiverse defendant must be dismissed from the case.

If one or more defendants are dismissed from the case, it is easy for the remaining defendant to finger point and blame the absent defendant for the plaintiff's injuries.

Even if a federal court remands the case to state court under the bill, the defendants have successfully forced the plaintiff to expend their limited resources on a baseless, time-consuming motion on a preliminary matter.

While large corporate defendants can easily accommodate such costs, plaintiffs (i.e. injured consumers, patients and workers) cannot.

Regardless of whether the case is remanded to state court or stays in federal court, this new, mandated inquiry will be a drain on the limited resources of federal courts.

By mandating a full merits-inquiry on a procedural motion, H.R. 3624 is expensive, time-consuming, and wasteful use of judicial resources.

Lastly, by seeking to favor federal courts over state courts as forums for deciding state law claims, this bill offends principles of federalism.

The ability of state courts to function independently of federal courts' procedural analysis is a necessary function of the success of the American judiciary branch.

For these, reasons I urge my colleagues to join me in opposing H.R. 3624, the Fraudulent Joinder Prevention Act.

Mr. GOODLATTE. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON), another distinguished member of the House Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Chairman, I return to the floor today for the second time in as many months to speak against another crony-capitalist,

Republican-led bill to benefit big business.

H.R. 3624, the Fraudulent Joinder Protection Act, as it is so called, is a solution in search of a problem.

Current Federal law already provides Federal courts with ample tools to address possible forum shopping. This crony-capitalist legislation would add needless complications for civil litigants seeking redress for violent claims in the State courts.

Two, it further stretches the already limited resources Federal courts are experiencing due to Republican-passed, budget-cutting sequestration measures.

Currently America is burdened with a Republican Party-caused judicial vacancy crisis in this Nation's Federal courts, where there are over 81 Federal court judicial vacancies around the country, including the one left vacant by the passing of Justice Scalia.

Republicans—who control the Senate and who, in the press conferences and meetings they have held this week, have fully exposed their plot to add to this judicial crisis—are refusing to fill that vacancy on the country's highest Court, and they have an ulterior purpose for doing so.

That purpose, ladies and gentlemen, is because they know that justice delayed is justice denied. They want to gum up the works of the Federal courts by defunding the Federal courts while at the same time bogging them down with State court matters that should be left to the States, and then what it results in is crony capitalists being able to avoid being held accountable in the State or Federal courts.

So this Congress should not further burden the Federal courts, which are already strapped for time and resources, when State courts are more suited and capable of hearing State—not Federal, but State—law claims as State courts have been empowered to do since this country was formed.

The Acting CHAIR (Mr. WALKER). The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield an additional 1 minute to the gentleman from Georgia.

Mr. JOHNSON of Georgia. The 10th Amendment in this country means something. It means something to Republicans, and it means something to Democrats. Sometimes we disagree on what it means and what impacts it should have.

But there is no doubt that the Federal court system has its body of law and the citizens should be able to bring their claim into their State courts, as they have been doing since this country's foundation.

They use the 10th Amendment when it is convenient to them, and then they violate it when it is not convenient. That is not the way that conscientious Republicans should operate. I challenge them to stop this encroachment on states' rights.

This legislation presumes that Federal courts are not currently preventing forum shopping in civil suits,

but there is absolutely no credible evidence that Federal courts are failing to do their duty.

I ask my colleagues to oppose this crony-capitalist legislation.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself 1 minute.

I thought you might be interested in knowing that 21 different organizations strongly oppose H.R. 3624, the Fraudulent Joinder Prevention Act, including: the American Association for Justice, the Center for Effective Government, the Center for Justice and Democracy, the Consumer Federation of America, the D.C. Consumer Rights Coalition, Main Street Alliance, the National Association of Consumer Advocates, the National Disability Rights Network's lawyers, the National Employment Lawyers Association.

I include in the RECORD the letter containing the list of groups that strongly oppose H.R. 3624.

FEBRUARY 23, 2016.

Re Groups Strongly Oppose H.R. 3624, "The Fraudulent Joinder Prevention Act".

Hon. PAUL RYAN,  
*Speaker, House of Representatives,*  
*Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER RYAN AND LEADER PELOSI: The House will soon be voting on H.R. 3624, the "Fraudulent Joinder Prevention Act." This bill would upend long established law in the area of federal court jurisdiction, place unreasonable burdens on the federal judiciary, and make it more difficult for Americans to enforce their rights in state courts. The undersigned organizations strongly oppose the bill as harmful and unnecessary.

Under our system of government, federal court jurisdiction is supposed to be very limited. State courts should not be deprived of jurisdiction over a claim they should properly hear, so the burden is always on the party trying to get into federal court to show why it should be there. When a case is properly in state court, only complete "diversity" can support removing it to federal court, meaning that no plaintiff in a case may come from the same state as any defendant.

H.R. 3624 would undermine this fundamental precept and force state cases into federal court when they don't belong there. The bill would do this by transforming the centuries-old concept called "fraudulent joinder," which is a way to defeat complete diversity; i.e., when non-diverse defendants are in case. Despite its name, joining such defendants is rarely "fraudulent" and has been accepted practice for over a century. As Lonny Hoffman, Law Foundation Professor of Law at the University of Houston Law Center, explained in testimony to this committee, under current, "well-settled law, fraudulent joinder will only be found if the defendant establishes that the joinder of the diversity-destroying party in the state court action was made without a reasonable basis of proving any liability against that party." Current law "strikes an appropriate balance among competing policies in how it evaluates the joinder of non-diverse defendants."

However, H.R. 3624 would dramatically change this longstanding, efficient and well-functioning law. The bill alters the fundamental precept that a party seeking removal has a very heavy burden to establish federal

court jurisdiction. At a preliminary stage, the court is required to engage in exhaustive fact finding on the merits even before summary judgment. The bill instructs the court to use subjective and vague criteria, like "objective evidence clearly demonstrates that there is no good faith intention" or "based on the complaint . . . it is not plausible to conclude," creating uncertainty as courts struggle with how to interpret and apply this new standard. The bill provides no evidentiary standards to help courts make such a complex decision. And requiring the court to engage in extensive factual adjudication at this early stage raises significant 7th Amendment "right to jury trial" constitutional concerns. As Professor Hoffman put it in testimony to this committee, although the bill is short in length, its provisions are "anything but modest; if enacted, they would dramatically alter existing jurisdictional law."

The process contemplated by this bill would be not only unfair to and incredibly expensive for the plaintiff, but also an enormous waste of judicial resources. There is no reason for these state based claims to be heard in federal court other than corporations' desire to engage in forum shopping. Yet, there is no evidence whatsoever that national corporations, who choose to avail themselves of the marketplaces in states across the country, complying with multiple state laws in the process, should then have a problem appearing in state court.

H.R. 3624 will have a destructive impact on our state and federal judiciary. Professor Hoffman said in his testimony, "Finally, by divesting state courts of jurisdiction and deciding merits questions that state courts now routinely resolve, proponents appear deaf to the serious federalism concerns that the bill raises." We urge you to oppose this legislation.

Thank you.

Very sincerely,

Alliance for Justice, American Association of Justice, Americans for Financial Reform, Asbestos Disease Awareness Organization, Center for Effective Government, Center for Justice & Democracy, Consumer Federation of America, Consumer Action, Consumer Watchdog, Consumers for Auto Reliability and Safety, D.C. Consumer Rights Coalition, Essential Information, Homeowners Against Deficient Dwellings.

Main Street Alliance, National Association of Consumer Advocates, National Consumer Law Center (on behalf of its low income clients), National Consumer Voice for Quality Long-Term Care, National Consumers League, National Disability Rights Network, National Employment Lawyers Association, Protect All Children's Environment, SC Appleseed Legal Justice Center, Texas Watch, The Impact Fund, Woodstock Institute, Workplace Fairness.

PUBLIC CITIZEN,

*Washington, DC, February 18, 2016.*

Re Opposition to H.R. 3624, The Fraudulent Joinder Prevention Act of 2015.

HOUSE OF REPRESENTATIVES,  
*Washington, DC.*

DEAR REPRESENTATIVE: I am writing on behalf of Public Citizen, a non-profit membership organization with more than 400,000 members and supporters nationwide, to express opposition to H.R. 3624, the Fraudulent Joinder Prevention Act of 2015. This bill is an unnecessary intrusion into the province of the federal courts.

H.R. 3624 addresses a federal district court's consideration of a plaintiff's motion to remand a case to state court, after a defendant has removed the case from the state court in which it was filed to federal district

court on the theory that the plaintiff had fraudulently joined a non-diverse defendant for the purpose of defeating federal-court jurisdiction. The purpose of the bill, as made clear in the September 29, 2015, hearing, is to assist defendants in keeping cases in federal court after removal. The bill purports to effectuate this purpose by specifying that the federal court consider evidence, such as affidavits, and by specifying four findings that would require a federal district court to deny a plaintiff's motion to remand.

Congress should not get into the business of micro-managing the motion practice of the federal courts without strong evidence that current court procedures are not serving their purpose: facilitating justice. In this case, however, the hearing provided no support for the assumption that the district courts are not denying motions to remand in appropriate cases. Witness testimony that different courts state different standards for reviewing such motions does not support a call for congressional action, unless the existence of different standards is leading to unjust results. The testimony, however, did not demonstrate that the courts' current approach results in injustice, and it did not explain how results would differ under the standard proposed in the bill and why any difference would be an improvement. Simply put, the bill is a supposed fix for an imagined problem. The House should hesitate before taking the step into micromanagement of the federal courts' consideration of one specific type of motion, where that motion has existed for more than a century and evidence of a problem is so flimsy.

Thank you for consideration of our views.

Sincerely,

ROBERT WEISSMAN,  
*President, Public Citizen.*

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT  
AND BUDGET,

*Washington, DC, February 24, 2016.*

STATEMENT OF ADMINISTRATION POLICY

H.R. 3624—FRAUDULENT JOINDER PREVENTION  
ACT OF 2016 (REP. BUCK, R-CO)

The Administration strongly opposes H.R. 3624 because it is a solution in search of a problem and makes it more difficult for individuals to vindicate their rights in State courts.

Federal law currently permits defendants to remove to Federal court a civil case initially filed in State court where the plaintiffs and defendants are citizens of different States and the case's value exceeds a certain monetary threshold. H.R. 3624 purports to address a problem called fraudulent joinder, where plaintiffs fraudulently raise claims against a same-state defendant in order to defeat the Federal court's ability to hear the case.

Existing Federal law already provides Federal courts with ample tools to address this problem, and the proponents of H.R. 3624 have offered no credible evidence that the Federal courts are failing to carry out their responsibility to prevent fraudulent joinder. The bill would therefore add needless complexity to civil litigation and potentially prevent plaintiffs from raising valid claims in State court.

If the President were presented with H.R. 3624, his senior advisors would recommend that he veto the bill.

Mr. CONYERS. Mr. Chairman, I yield back the balance of my time.

□ 1345

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is not often that the House has the opportunity to protect innocent local people and businesses from costly and meritless lawsuits and holding them to a good faith standard in litigation all by passing a bill that is just a few pages long, but that is the opportunity the House has today.

I thank the gentleman from Colorado (Mr. BUCK), a member of the Committee on the Judiciary, for introducing this vital measure, and I urge all my colleagues to join me in supporting it.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 3624

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Fraudulent Joinder Prevention Act of 2016".*

#### SEC. 2. PREVENTION OF FRAUDULENT JOINDER.

*Section 1447 of title 28, United States Code, is amended by adding at the end the following:*

*"(f) FRAUDULENT JOINDER.—*

*"(1) This subsection shall apply to any case in which—*

*"(A) a civil action is removed solely on the basis of the jurisdiction conferred by section 1332(a);*

*"(B) a motion to remand is made on the ground that—*

*"(i) one or more defendants are citizens of the same State as one or more plaintiffs; or*

*"(ii) one or more defendants properly joined and served are citizens of the State in which the action was brought; and*

*"(C) the motion is opposed on the ground that the joinder of the defendant or defendants described in subparagraph (B) is fraudulent.*

*"(2) The joinder of the defendant or defendants described in paragraph (1) (B) is fraudulent if the court finds that—*

*"(A) there is actual fraud in the pleading of jurisdictional facts;*

*"(B) based on the complaint and the materials submitted under paragraph (3), it is not plausible to conclude that applicable State law would impose liability on each defendant described in paragraph (1)(B);*

*"(C) State or Federal law clearly bars all claims in the complaint against all defendants described in paragraph (1)(B); or*

*"(D) objective evidence clearly demonstrates that there is no good faith intention to prosecute the action against all defendants described in paragraph (1)(B) or to seek a joint judgment.*

*"(3) In determining whether to grant or deny a motion under paragraph (1)(B), the court may permit the pleadings to be amended, and shall consider the pleadings, affidavits, and other evidence submitted by the parties.*

*"(4) If the court finds fraudulent joinder under paragraph (2), it shall dismiss without prejudice the claims against the defendant or defendants found to have been fraudulently joined and shall deny the motion described in paragraph (1)(B)."*

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114-428. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-428.

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 1, strike "the defendant or defendants" and insert "a defendant".

Page 4, line 5, after "facts" insert "with respect to that defendant".

Page 4 beginning in line 9 and ending in line 10, strike "each defendant described in paragraph (1)(B)" and insert "that defendant".

Page 4, beginning in line 12 and ending in line 13, strike "all defendants described in paragraph (1)(B)" and insert "that defendant".

Page 4, beginning in line 16 and ending in line 17, strike "all defendants described in paragraph (1)(B)" and insert "that defendant".

Page 4, line 17, after "joint judgment" insert "including that defendant".

Page 4, line 23, strike "fraudulent joinder" and insert "that all defendants described in paragraph (1)(B) have been fraudulently joined".

Page 4, beginning in line 25 and ending in line 1 of page 5 strike "the defendant or defendants found to have been fraudulently joined" and insert "those defendants".

The Acting CHAIR. Pursuant to House Resolution 618, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, this manager's amendment simply makes a few technical changes to the bill; namely, striking references to multiple defendants and replacing them with references to single defendants to make clear that even if one instate defendant has a legitimate connection to the case, the case can remain in State court.

I urge my colleagues to support this technical and clarifying amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. Members of the House, I oppose the manager's amendment, something I rarely ever do. While I don't take issue with the changes to the bill that the manager's amendment makes, this amendment fails to address any of the concerns that I raised about the underlying bill because the bill is flawed in its very conception.

There is no real problem that this bill addresses. Existing fraudulent joinder law adequately addresses the improper joinder of instate defendants, and the bill's proponents have offered no evidence to the contrary.

This unnecessary bill instead creates great uncertainty and delay in the consideration of State law claims with its ambiguous new requirements. It will also spawn much litigation, leading to increased costs that will be borne disproportionately by plaintiffs.

This bill, in addition, violates State sovereignty by significantly diminishing the ability of State courts to decide and shape State law matters.

Those are my objections to the manager's amendment. I hope it will be voted down.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-428.

Mr. CARTWRIGHT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 2, strike the close quotation mark and the period which follows.

Page 5, after line 2, insert the following:

*"(5) This subsection shall not apply to a case in which the plaintiff seeks compensation resulting from the bad faith of an insurer."*

The Acting CHAIR. Pursuant to House Resolution 618, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. I yield myself such time as I may consume.

Mr. Chairman, I also oppose the underlying bill, which I call the wrongdoers protection act for multistate and multinational corporations, and for that purpose I add this amendment.

It is no coincidence that these corporate wrongdoers want to force consumers to fight them in the Federal court. That is the effect of this bill, to enlarge Federal court diversity jurisdiction.

It is no coincidence that the corporate wrongdoers want to fight there. It is not because they think the Federal judges are better looking or that

the Federal judges are more polite or that the decor is nicer in Federal court. No. They want to go there because they are more likely to beat consumers in Federal court cases.

After a generation of bad decisions by the Supreme Court of the United States, Federal court has become candy land for corporate wrongdoers, generations of bad decisions that invite and exhort district judges to forget about the 7th Amendment in the Bill of Rights. You remember what that says. It was written by James Madison. It was announced as approved by Secretary of State Thomas Jefferson, whose statue stands right outside this Chamber. It says this: "In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved."

There is nothing ambiguous about that. But since the 1980s, there has been this steady drumbeat of Supreme Court of the United States decisions encouraging and emboldening Federal court judges to decide and dismiss cases without the trouble of a jury trial.

Their toolkit is enormous: motions to dismiss, motions for judgment on the pleadings, motions for summary judgment, motions for directed verdict, motions for judgment as a matter of law.

Cases do get thrown out every day without the trouble of jury trials, and the Seventh Amendment right to jury trial is not preserved. That is why wrongdoer corporations prefer to be in Federal court. So that is the backdrop, Mr. Chairman.

On top of that, I want to give you some very strong reasons why this underlying bill is bad. Number one, it is discriminatory. Unless you are a multistate or multinational corporation, this bill doesn't help you. If you are an individual sued in State court, you get no help. If you are a small-business owner only doing work in your State, you are out of luck. This doesn't provide you any help. Only multistate, multinational corporations get help, and that is why I call this the wrongdoers protection act for multistate and multinational corporations.

Number two, it is burdensome. Representative JOHNSON from Georgia already made this point. The Federal courts are already overworked and understaffed. The civil caseload already is growing at 12 percent a year—much of that, by the way, contract cases filed by corporations. There are currently 81 vacancies in the Federal judiciary. There is no reason to add to this burden.

Number three, this bill is ironic. We have a crowd in this House that constantly preaches about states' rights and the need to cut back on the Federal Government. But a bill like this comes along, and they drop that states' rights banner like it is a hot potato and pick up the coat of arms of the

multistate, multinational corporations.

Number four, and maybe most importantly, the underlying bill is wrong-headed because these cases, called diversity cases, are filed in State court under State law; and ever since the 1930s in the Erie Railroad case, if you take these cases and handle them in Federal court, the Federal judges have to follow State law, not Federal law. Mr. Chairman, there is nobody better at interpreting State law than State court judges. It stands to reason.

I offer this amendment that is on the desk to exempt consumer cases against insurance companies for bad faith in insurance practices. If the majority is going to persist and present this gift, this enormous gift to the multistate and multinational corporate wrongdoers, at least include this amendment and give a couple of crumbs to the average American consumer trying to defend himself or herself in court.

Mr. Chairman, I reserve the balance of my time.

Mr. BUCK. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. BUCK. I yield myself such time as I may consume.

Mr. Chairman, this amendment should be roundly opposed for the simple reason that not only does it not protect any victims, but it also victimizes innocent local parties in the types of cases covered by the amendment.

The purpose of this bill is to allow judges greater discretion to free innocent local parties—that is, innocent people and innocent small businesses—from lawsuits when those innocent local parties are dragged into a case for no other reason than to further a trial lawyer's forum-shopping strategy.

These innocent local parties have, at most, an attenuated connection to the claims by the trial lawyer against some national company a thousand miles away, and these innocent local parties shouldn't have to suffer the time, expense, and emotional drain of a lawsuit when the plaintiff cannot even come up with a plausible claim against it. The base bill protects those innocent local parties from being dragged into a lawsuit brought against some other party for no other reason than to keep the case in a State court the trial lawyer prefers.

Now, enter this amendment, which denies the bill's protections to innocent local parties joined to a lawsuit simply because the legal allegations in the case fall into one arbitrary category rather than another. That is terribly unfair.

If this were any other kind of bill designed to protect innocent people, no one would argue that it shouldn't apply when the lawsuit relates to a bad faith suit against an insurance company. Innocent people are innocent people, and they should be protected from being dragged into lawsuits, regardless of the nature of the case.

Now, let me say a little something about this amendment based on my career as a prosecutor.

As a prosecutor, I deeply respected all the rules we have developed in this country to protect the innocent. These are rules of general application, such as rules protecting people's rights to have their side of the story told and rules protecting people from biased or inaccurate testimony. I would have been appalled if anyone ever suggested that these general protections designed to protect innocent people from criminal liability should be suspended because the case was one of assault or battery or murder or somehow related to insurance.

Our country is rightfully proud of its principles providing due process and equal protection, but those concepts are meaningless if they are only selectively applied to some cases but not others. For the same reason, we should all be outraged at the suggestion that rules of fairness designed to protect the innocent should be suspended in civil law because the case involves one particular subject or another. But that is exactly what this misguided amendment does.

Further, courts could read this amendment as not even allowing them to consider the fraudulent joinder argument for cases within its coverage, no matter how clear it was that there was no valid claim against the local defendant under State law.

This bill defines and limits fraudulent joinder. It does not license courts to make up their own fraudulent joinder doctrines for cases not within its coverage. Under that reading, claims could be made against local insurance agents with no factual basis supporting the lawsuit.

The amendment would also allow a plaintiff's lawyer to drag an individual insurance adjuster into a lawsuit even when the applicable State law makes absolutely clear that only insurers, not individual people, are subject to bad faith claims.

How does a sponsor explain to a person like Jack Stout why a lawyer pulled him into a bad faith lawsuit targeting State Farm? Mr. Stout was a local insurance agent who merely sold a policy to the plaintiff, met and spoke with the plaintiff once, and had nothing to do with processing the plaintiff's homeowner insurance claim.

A Federal district court in Oklahoma found he was fraudulently joined and dismissed the claim against him. But under this amendment, this innocent person could be struck back into the lawsuit.

How does the sponsor explain to a person like Douglas Bradley why a plaintiff's lawyer named him as a defendant in a bad faith lawsuit against an insurer? In that case, the complaint included Mr. Bradley, an insurance agent, as a defendant in the caption referred to as defendant, singular, not defendants throughout, and did not even mention Mr. Bradley in the body of the complaint.

A Federal district court in Indiana dismissed the claim against him as fraudulently joined, but under this amendment, this innocent person could be sucked back into the lawsuit, and that is not fair.

For all these reasons, this amendment should be soundly rejected.

Mr. Chairman, I reserve the balance of my time.

□ 1400

Mr. CARTWRIGHT. Mr. Chairman, to respond to my colleague from Colorado who has just cited two cases where, under existing law and procedure, fraudulent joinder of bad faith insurance claims was claimed and actually succeeded, the proof is right there.

The statute does not need to be amended. It is working already. That is why we don't need to include bad faith insurance cases in the Wrongdoers Protection Act for multistate and multinational corporations.

I yield back the balance of my time.

Mr. BUCK. Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARTWRIGHT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

Mr. BUCK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATTA) having assumed the chair, Mr. WALKER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, had come to no resolution thereon.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 1 minute p.m.), the House stood in recess.

□ 1515

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 3 o'clock and 15 minutes p.m.

## FRAUDULENT JOINDER PREVENTION ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 618 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3624.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1515

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 2 printed in House Report 114-428 offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) had been postponed.

### AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 237, not voting 18, as follows:

[Roll No. 87]

AYES—178

Adams	Clyburn	Frankel (FL)
Aguilar	Cohen	Fudge
Ashford	Connolly	Gabbard
Bass	Conyers	Galleo
Beatty	Costa	Garamendi
Becerra	Courtney	Graham
Bera	Crowley	Grayson
Beyer	Cuellar	Green, Al
Bishop (GA)	Cummings	Griffith
Blumenauer	Curbelo (FL)	Grijalva
Bonamici	Davis (CA)	Gutiérrez
Boyle, Brendan F.	Davis, Danny	Hahn
Brady (PA)	DeFazio	Heck (WA)
Brown (FL)	DeGette	Higgins
Brownley (CA)	DeLauro	Himes
Bustos	DeBene	Hinojosa
Capps	DeSaulnier	Honda
Capuano	Deutch	Huffman
Cárdenas	Dingell	Israel
Carney	Doggett	Jackson Lee
Carson (IN)	Doyle, Michael F.	Jeffries
Cartwright	Duckworth	Johnson (GA)
Castor (FL)	Edwards	Johnson, E. B.
Castro (TX)	Ellison	Jones
Chu, Judy	Engel	Keating
Cicilline	Eshoo	Kennedy
Clark (MA)	Esty	Kildee
Clarke (NY)	Farr	Kilmer
Clay	Fattah	Kind
Cleaver	Foster	Kirkpatrick
		Kuster

Langevin	Norcross	Serrano
Larsen (WA)	O'Rourke	Sewell (AL)
Larson (CT)	Pallone	Sherman
Lawrence	Pascarella	Sinema
Lee	Payne	Sires
Levin	Pelosi	Slaughter
Lieu, Ted	Perlmutter	Speier
Lipinski	Peters	Swalwell (CA)
Loeback	Peterson	Takai
Lofgren	Pingree	Takano
Lowenthal	Pocan	Thompson (CA)
Lowe	Polis	Thompson (MS)
Lujan Grisham (NM)	Posey	Titus
Lynch	Price (NC)	Tonko
Maloney,	Quigley	Torres
Carolyn	Rangel	Tsongas
Maloney, Sean	Rice (NY)	Van Hollen
Matsui	Richmond	Vargas
McCollum	Ros-Lehtinen	Veasey
McDermott	Roybal-Allard	Vela
McGovern	Ruiz	Velázquez
McNerney	Ruppersberger	Visclosky
Meeks	Ryan (OH)	Walz
Meng	Sánchez, Linda T.	Wasserman
Moore	Sarbanes	Schultz
Moulton	Schakowsky	Waters, Maxine
Murphy (FL)	Schiff	Watson Coleman
Nadler	Schrader	Welch
Neal	Scott (VA)	Yarmuth
Nolan	Scott, David	

NOES—237

Abraham	Foxx	Marino
Aderholt	Franks (AZ)	Massie
Allen	Frelinghuysen	McCarthy
Amash	Garrett	McCaul
Amodei	Gibbs	McClintock
Babin	Gibson	McHenry
Barletta	Gohmert	McKinley
Barr	Goodlatte	McMorris
Barton	Gosar	Rodgers
Benishek	Gowdy	McSally
Bilirakis	Granger	Meadows
Bishop (MI)	Graves (GA)	Meehan
Bishop (UT)	Graves (LA)	Messer
Black	Graves (MO)	Mica
Blackburn	Grothman	Miller (FL)
Blum	Guinta	Miller (MI)
Bost	Guthrie	Moolenaar
Boustany	Hanna	Mooney (WV)
Brady (TX)	Hardy	Mullin
Brat	Harper	Mulvaney
Bridenstine	Harris	Murphy (PA)
Brooks (AL)	Hartzler	Neugebauer
Brooks (IN)	Heck (NV)	Newhouse
Buchanan	Hensarling	Noem
Buck	Hice, Jody B.	Nugent
Bucshon	Hill	Nunes
Burgess	Holding	Olson
Byrne	Hudson	Palazzo
Calvert	Huelskamp	Palmer
Carter (GA)	Huizenga (MI)	Paulsen
Carter (TX)	Hultgren	Pearce
Chabot	Hunter	Perry
Chaffetz	Hurd (TX)	Pittenger
Clawson (FL)	Hurt (VA)	Pitts
Coffman	Issa	Poe (TX)
Cole	Jenkins (KS)	Poliquin
Collins (GA)	Jenkins (WV)	Pompeo
Collins (NY)	Johnson (OH)	Price, Tom
Comstock	Johnson, Sam	Ratcliffe
Conaway	Jolly	Reed
Costello (PA)	Jordan	Reichert
Cramer	Joyce	Renacci
Crawford	Kaptur	Ribble
Crenshaw	Katko	Rice (SC)
Culberson	Kelly (MS)	Rigell
Davis, Rodney	Kelly (PA)	Roe (TN)
Denham	King (IA)	Rogers (AL)
Dent	King (NY)	Rogers (KY)
DeSantis	Kinzing (IL)	Rohrabacher
DesJarlais	Kline	Rokita
Diaz-Balart	Knight	Rooney (FL)
Dold	Labrador	Roskam
Donovan	LaHood	Ross
Duffy	LaMalfa	Rothfus
Duncan (SC)	Lamborn	Rouzer
Duncan (TN)	Lance	Royce
Ellmers (NC)	Latta	Russell
Emmer (MN)	LoBiondo	Salmon
Farenthold	Long	Sanford
Fincher	Loudermilk	Scalise
Fitzpatrick	Love	Schweikert
Fleischmann	Lucas	Scott, Austin
Fleming	Luetkemeyer	Sensenbrenner
Flores	Lummis	Sessions
Forbes	MacArthur	Shimkus
Fortenberry	Marchant	Shuster



Smith (MO)	Upton	Williams
Smith (NE)	Valadao	Wilson (SC)
Smith (NJ)	Wagner	Wittman
Smith (TX)	Walberg	Womack
Stefanik	Walden	Woodall
Stewart	Walker	Yoder
Stivers	Walorski	Yoho
Stutzman	Walters, Mimi	Young (AK)
Thompson (PA)	Weber (TX)	Young (IA)
Thornberry	Webster (FL)	Young (IN)
Tiberi	Wenstrup	Zeldin
Tipton	Westerman	Zinke
Trott	Westmoreland	
Turner	Whitfield	

## NOT VOTING—18

Butterfield	Hoyer	Rush
Cook	Kelly (IL)	Sanchez, Loretta
Cooper	Lewis	Simpson
Delaney	Luján, Ben Ray	Smith (WA)
Green, Gene	(NM)	Wilson (FL)
Hastings	Napolitano	
Herrera Beutler	Roby	

□ 1535

Mr. FLEISCHMANN and Mrs. WAGNER changed their vote from “aye” to “no.”

Messrs. SWALWELL of California, POSEY, and DOGGETT changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, February 25, 2016, I was absent during rollcall vote No. 87. Had I been present, I would have voted “yes” on the Cartwright Amendment.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, and, pursuant to House Resolution 618, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mrs. WATSON COLEMAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. WATSON COLEMAN. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Watson Coleman moves to recommit the bill H.R. 3624 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendments:

Page 5, line 2, strike the close quotation mark and the period which follows.

Page 5, after line 2, insert the following:

“(5) This section shall not apply to a case in which the plaintiff seeks relief in connection with the sexual abuse and exploitation of a minor.”

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey is recognized for 5 minutes in support of her motion.

Mrs. WATSON COLEMAN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My amendment would simply ensure that those who have filed a suit in connection with sexual abuse or exploitation of a minor are exempt from the changes that this law makes.

Mr. Speaker, this bill is an assault on the ability of everyday hardworking Americans to seek justice, and despite its misleading title, this bill has absolutely nothing to do with fraud and will do nothing to prevent it.

This is just one more step by my colleagues on the other side of the aisle to offer corporations every opportunity imaginable to take advantage of workers, consumers, and patients.

By making it easier to move cases to Federal court, we make it easier for big corporations to play the long game, waiting out plaintiffs with limited financial resources, with limited capacity to travel far from home for hearings, and with limited ability to sit through the significantly longer Federal process.

The current law has been around for centuries, based on the obvious logic that a State case belongs in a State court.

The new burden that this bill would place on the average American is simply outrageous. The least that we can do is protect children who have already been victimized by sexual assault.

My amendment is simple. It would ensure that we allow those who have filed lawsuits in connection with the sexual abuse or exploitation of a minor to continue to operate under the completely operational and already efficient system currently in place.

Most importantly, it will protect victims who have already experienced incredible emotional and physical trauma from being dragged through a long and costly court process far from home just to benefit some multinational corporation out to maximize its profits.

This isn't a hypothetical situation. In one case heard in Washington State, plaintiffs were minors who were sexually exploited by in-state defendants and by an out-of-State defendant who

advertised the sexual services of the minors on the defendant's Web site.

When those plaintiffs brought claims against the defendants for sexual exploitation, assault, battery, unjust enrichment, and civil conspiracy, the out-of-State defendant attempted to move the case to Federal court. Federal courts rejected that defendant's arguments, and the case remained at the State level. But if this bill is allowed to pass, that would no longer be the case.

Mr. Speaker, this bill is reprehensible. Unfortunately, it is only the latest in a long line of efforts to put corporations beyond reproach and outside of any accountability. Let's at least ensure that young people, who have already been victimized, don't experience any further mistreatment for the sake of shareholders' profits.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I seek time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, I would like to thank the gentleman from Colorado (Mr. BUCK) for bringing this outstanding legislation before the House. This is very common sense. It solves a very practical problem, and most importantly, it protects the innocent. I want to quote him with regard to this motion to recommit. He says:

As a prosecutor, I deeply respected all the rules we developed in this great country to protect the innocent. These are rules of general application, such as rules protecting people's rights to have their side of the story told and rules protecting people from biased or inaccurate testimony.

I would have been appalled if anyone ever suggested that these general protections, designed to protect innocent people from criminal liability, should be suspended because the case was one of assault or battery, murder, or somehow related to insurance.

Our country is, rightfully, proud of its principles providing due process and equal protection, but those concepts are meaningless if they are only selectively applied to some types of cases, but not others. For the same reason, we should all be outraged at the suggestion that rules of fairness, designed to protect the innocent, should be suspended in the civil law because the case involves one particular subject or another.

But that is exactly what this motion to recommit does.

□ 1545

The problem with all of the arguments made by opponents of this bill is that those arguments rely on trapping completely innocent local people in lawsuits they don't deserve to be in. That is wrong, and that is unfair. Innocent local people and small businesses deserve protections from being dragged into lawsuits that are really directed against other larger parties, regardless of the nature of those lawsuits against other parties.

In the end, this bill doesn't require much of trial lawyers. It tells trial lawyers not to sue local innocent people



and businesses just so they can further their own forum shopping strategies. It tells trial lawyers they need to have a plausible case before they can wrap up innocent local people and businesses in costly and time-consuming lawsuits.

It tells trial lawyers their lawsuits must be based on good faith. But, apparently, those very modest demands of civility and fairness are too much to ask, according to opponents of this bill who would prefer to dilute it with irrelevancies and distractions.

It is not often that the House has the opportunity to protect innocent local people and businesses from costly and meritless lawsuits, rein in forum shopping abuses by trial lawyers, and hold them to a good faith standard in litigation, all by passing a bill that is just a few pages long. But that is the opportunity the House has today.

I urge all of my colleagues to take that opportunity now. Reject this motion to recommit and, in so doing, expand the opportunities of all local citizens and small businesses that would otherwise be smothered by costly and meritless lawsuits. Pass this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mrs. WATSON COLEMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; ordering the previous question on House Resolution 619; and adoption of House Resolution 619, if ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 239, not voting 14, as follows:

[Roll No. 88]

#### AYES—180

Adams	Castro (TX)	Dingell
Aguilar	Chu, Judy	Doggett
Ashford	Ciциlline	Doyle, Michael
Bass	Clark (MA)	F.
Beatty	Clarke (NY)	Duckworth
Becerra	Clay	Edwards
Bera	Cleaver	Ellison
Beyer	Clyburn	Engel
Bishop (GA)	Cohen	Eshoo
Blum	Connolly	Esty
Blumenauer	Conyers	Farr
Bonamici	Costa	Fattah
Boyle, Brendan	Courtney	Foster
F.	Crowley	Frankel (FL)
Brady (PA)	Cuellar	Fudge
Brown (FL)	Cummings	Gabbard
Brownley (CA)	Davis (CA)	Galleo
Bustos	Davis, Danny	Garamendi
Capps	DeFazio	Graham
Capuano	DeGette	Grayson
Cardenas	Delaney	Green, Al
Carney	DeLauro	Grijalva
Carson (IN)	DelBene	Gutiérrez
Cartwright	DeSaulnier	Hahn
Castor (FL)	Deutch	Heck (WA)

Higgins	Maloney,	Sánchez, Linda
Himes	Carolyn	T.
Hinojosa	Maloney, Sean	Sarbanes
Honda	Matsui	Schakowsky
Huffman	McCollum	Schiff
Israel	McDermott	Schrader
Jackson Lee	McGovern	Scott (VA)
Jeffries	McNerney	Scott, David
Johnson (GA)	Meeks	Serrano
Johnson, E. B.	Meng	Sewell (AL)
Jones	Moore	Sherman
Kaptur	Moulton	Sinema
Keating	Murphy (FL)	Sires
Kennedy	Nadler	Slaughter
Kildee	Neal	Speier
Kilmer	Nolan	Swalwell (CA)
Kind	Norcross	Takai
Kirkpatrick	O'Rourke	Takano
Kuster	Pallone	Thompson (CA)
Langevin	Pascrell	Thompson (MS)
Larsen (WA)	Payne	Titus
Larson (CT)	Pelosi	Tonko
Lawrence	Perlmutter	Torres
Lee	Peters	Tsongas
Levin	Peterson	Van Hollen
Lewis	Pingree	Vargas
Lieu, Ted	Pocan	Veasey
Lipinski	Polis	Vela
Loeb sack	Price (NC)	Velázquez
Lofgren	Quigley	Walz
Lowenthal	Rangel	Wasserman
Lowe y	Rice (NY)	Schultz
Lujan Grisham	Richmond	Waters, Maxine
(NM)	Roybal-Allard	Watson Coleman
Lujan, Ben Ray	Ruiz	Welch
(NM)	Ruppersberger	Wilson (FL)
Lynch	Rush	Yarmuth
	Ryan (OH)	

#### NOES—239

Abraham	Fincher	LaHood
Aderholt	Fitzpatrick	LaMalfa
Allen	Fleischmann	Lamborn
Amash	Fleming	Lance
Amodei	Flores	Latta
Babin	Forbes	LoBiondo
Barletta	Fortenberry	Long
Barr	Fox	Loudermilk
Barton	Franks (AZ)	Love
Benishek	Frelinghuysen	Lucas
Bilirakis	Garrett	Luetkemeyer
Bishop (MI)	Gibbs	Lummis
Bishop (UT)	Gibson	MacArthur
Black	Gohmert	Marino
Blackburn	Goodlatte	Massie
Bost	Gosar	McCarthy
Boustany	Gowdy	McCauley
Brady (TX)	Granger	McClintock
Brat	Graves (GA)	McHenry
Bridenstine	Graves (LA)	McKinley
Brooks (AL)	Graves (MO)	McMorris
Brooks (IN)	Griffith	Rodgers
Buchanan	Grothman	McSally
Buck	Guinta	Meadows
Bucshon	Guthrie	Meehan
Burgess	Hanna	Messer
Byrne	Hardy	Mica
Calvert	Harper	Miller (FL)
Carter (GA)	Harris	Miller (MI)
Carter (TX)	Hartzler	Moolenaar
Chabot	Heck (NV)	Mooney (WV)
Chaffetz	Hensarling	Mullin
Clawson (FL)	Hice, Jody B.	Mulvaney
Coffman	Hill	Murphy (PA)
Cole	Holding	Neugebauer
Collins (GA)	Hudson	Newhouse
Collins (NY)	Huelskamp	Noem
Comstock	Huizenga (MI)	Nugent
Conaway	Hultgren	Nunes
Costello (PA)	Hunter	Olson
Cramer	Hurd (TX)	Palazzo
Crawford	Hurt (VA)	Palmer
Crenshaw	Issa	Paulsen
Culberson	Jenkins (KS)	Pearce
Curbelo (FL)	Jenkins (WV)	Perry
Davis, Rodney	Johnson (OH)	Pittenger
Denham	Johnson, Sam	Pitts
Dent	Jolly	Poe (TX)
DeSantis	Jordan	Poliquin
DesJarlais	Joyce	Pompeo
Diaz-Balart	Katko	Posey
Dold	Kelly (MS)	Price, Tom
Donovan	Kelly (PA)	Ratcliffe
Duffy	King (IA)	Reed
Duncan (SC)	King (NY)	Reichert
Duncan (TN)	Kinzinger (IL)	Renacci
Elmiers (NC)	Kline	Ribble
Emmer (MN)	Knight	Rice (SC)
Farenthold	Labrador	

Rigell	Shimkus	Walker
Roe (TN)	Shuster	Walorski
Rogers (AL)	Smith (MO)	Walters, Mimi
Rogers (KY)	Smith (NE)	Weber (TX)
Rohrabacher	Smith (NJ)	Webster (FL)
Rokita	Smith (TX)	Wenstrup
Rooney (FL)	Stefanik	Westerman
Ros-Lehtinen	Stewart	Westmoreland
Roskam	Stivers	Whitfield
Ross	Stutzman	Williams
Rothfus	Thompson (PA)	Wilson (SC)
Rouzer	Thornberry	Wittman
Royce	Tiberi	Womack
Russell	Tipton	Woodall
Salmon	Trott	Yoder
Sanford	Turner	Yoho
Scalise	Upton	Young (AK)
Schweikert	Valadao	Young (IA)
Scott, Austin	Wagner	Young (IN)
Sensenbrenner	Walberg	Zeldin
Sessions	Walden	Zinke

#### NOT VOTING—14

Butterfield	Herrera Beutler	Sanchez, Loretta
Cook	Hoyer	Simpson
Cooper	Kelly (IL)	Smith (WA)
Green, Gene	Napolitano	Visclosky
Hastings	Roby	

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN) (during the vote). There are 2 minutes remaining.

□ 1553

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, February 25, 2016, I was absent during rollcall vote No. 88. Had I been present, I would have voted "yes" on the Motion to Recommit H.R. 3624—Fraudulent Joinder Prevention Act of 2015.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 189, not voting 15, as follows:

[Roll No. 89]

#### AYES—229

Abraham	Calvert	Fincher
Aderholt	Carter (TX)	Fitzpatrick
Allen	Chabot	Fleischmann
Amodei	Chaffetz	Fleming
Babin	Clawson (FL)	Flores
Barletta	Coffman	Forbes
Barr	Cole	Fortenberry
Barton	Collins (GA)	Fox
Benishek	Collins (NY)	Franks (AZ)
Bilirakis	Comstock	Frelinghuysen
Bishop (MI)	Conaway	Garrett
Bishop (UT)	Cramer	Gibbs
Black	Crawford	Gibson
Blackburn	Crenshaw	Gohmert
Blum	Culberson	Goodlatte
Bost	Davis, Rodney	Gosar
Boustany	Denham	Gowdy
Brady (TX)	Dent	Granger
Brat	DeSantis	Graves (GA)
Bridenstine	DesJarlais	Graves (LA)
Brooks (AL)	Dold	Graves (MO)
Brooks (IN)	Donovan	Grothman
Buchanan	Duffy	Guinta
Buck	Duncan (SC)	Guthrie
Bucshon	Elmiers (NC)	Hanna
Burgess	Emmer (MN)	Hardy
Byrne	Farenthold	Harper

Harris	McKinley	Royce	Peterson	Sarbanes	Tonko	Byrne	Hunter	Posey
Hartzler	McMorris	Salmon	Pingree	Schakowsky	Torres	Calvert	Hurd (TX)	Price, Tom
Heck (NV)	Rodgers	Scalise	Pocan	Schiff	Tsongas	Carter (GA)	Hurt (VA)	Ratcliffe
Hensarling	McSally	Schweikert	Polis	Schrader	Van Hollen	Carter (TX)	Issa	Reed
Hice, Jody B.	Meadows	Scott, Austin	Price (NC)	Scott (VA)	Vargas	Chabot	Jenkins (KS)	Reichert
Hill	Meehan	Sensenbrenner	Quigley	Scott, David	Veasey	Chaffetz	Jenkins (WV)	Renacci
Holding	Messer	Sessions	Rangel	Serrano	Vela	Clawson (FL)	Johnson (OH)	Ribble
Hudson	Mica	Shimkus	Rice (NY)	Sewell (AL)	Velázquez	Coffman	Johnson, Sam	Rice (SC)
Huelskamp	Miller (FL)	Shuster	Richmond	Sherman	Visclosky	Collins (GA)	Jolly	Rigell
Huizenga (MI)	Miller (MI)	Smith (MO)	Ros-Lehtinen	Sinema	Walz	Collins (NY)	Jones	Roe (TN)
Hultgren	Moolenaar	Smith (NE)	Roybal-Allard	Sires	Wasserman	Comstock	Jordan	Rogers (AL)
Hunter	Mooney (WV)	Smith (NJ)	Ruiz	Slaughter	Schultz	Conaway	Joyce	Rohrabacher
Hurd (TX)	Mullin	Smith (TX)	Ruppersberger	Speier	Swalwell (CA)	Costa	Katko	Rokita
Hurt (VA)	Mulvaney	Stefanik	Rush	Swalwell (CA)	Takai	Costello (PA)	Kelly (MS)	Rooney (FL)
Issa	Murphy (PA)	Stewart	Russell	Takano	Welch	Cramer	Kelly (PA)	Ros-Lehtinen
Jenkins (KS)	Neugebauer	Stivers	Ryan (OH)	Thompson (CA)	Wilson (FL)	Crawford	King (IA)	Roskam
Jenkins (WV)	Newhouse	Stutzman	Sánchez, Linda T.	Thompson (MS)	Yarmuth	Crenshaw	King (NY)	Ross
Johnson (OH)	Noem	Thompson (PA)	Sanford	Titus		Culberson	Kinzinger (IL)	Rothfus
Johnson, Sam	Nugent	Thornberry				Curbelo (FL)	Kline	Rouzer
Jolly	Nunes	Tiberi				Davis, Rodney	Knight	Royce
Jordan	Olson	Tipton				Denham	Labrador	Russell
Joyce	Palazzo	Trott	Butterfield	Green, Gene	Napolitano	Dent	LaHood	Salmon
Katko	Palmer	Turner	Carter (GA)	Hastings	Roby	DeSantis	LaMalfa	Sanford
Kelly (MS)	Paulsen	Upton	Cook	Herrera Beutler	Sanchez, Loretta	DesJarlais	Lamborn	Scalise
Kelly (PA)	Pearce	Valadao	Cooper	Hoyer	Simpson	Diaz-Balart	Lance	Schweikert
King (IA)	Perry	Wagner	Costello (PA)	Kelly (IL)	Smith (WA)	Dold	Latta	Scott, Austin
King (NY)	Pittenger	Walberg				Donovan	LoBiondo	Sensenbrenner
Kinzinger (IL)	Pitts	Walden				Duffy	Long	Sessions
Kline	Poe (TX)	Walker				Duncan (SC)	Loudermilk	Shimkus
Knight	Poliquin	Walorski				Duncan (TN)	Love	Shuster
Labrador	Pompeo	Walters, Mimi				Ellmers (NC)	Lucas	Smith (MO)
LaHood	Posey	Weber (TX)				Emmer (MN)	Luetkemeyer	Smith (NE)
LaMalfa	Price, Tom	Webster (FL)				Farenthold	Lummis	Smith (NJ)
Lamborn	Ratcliffe	Wenstrup				Fincher	MacArthur	Smith (TX)
Lance	Reed	Westerman				Fitzpatrick	Marchant	Stefanik
Latta	Reichert	Westmoreland				Fleischmann	Marino	Stewart
LoBiondo	Renacci	Whitfield				Fleming	Massie	Stivers
Long	Ribble	Williams				Flores	McCarthy	Stutzman
Loudermilk	Rice (SC)	Wilson (SC)				Forbes	McCauley	Thompson (PA)
Love	Rigell	Wittman				Fortenberry	McClintock	Thornberry
Lucas	Roe (TN)	Womack				Fox	McHenry	Tiberi
Luetkemeyer	Rogers (AL)	Woodall				Franks (AZ)	McKinley	Tipton
Lummis	Rogers (KY)	Yoder				Frelinghuysen	McMorris	Trott
MacArthur	Rohrabacher	Yoho				Garrett	Rodgers	Turner
Marchant	Rokita	Young (AK)				Gibbs	McSally	Upton
Marino	Rooney (FL)	Young (IA)				Gibson	Meadows	Valadao
McCarthy	Roskam	Young (IN)				Gohmert	Meehan	Wagner
McCauley	Ross	Zeldin				Goodlatte	Messer	Walberg
McClintock	Rothfus	Zinke				Gosar	Mica	Walden
McHenry	Rouzer					Gowdy	Miller (FL)	Walker
						Granger	Miller (MI)	Walorski
						Graves (GA)	Moolenaar	Walters, Mimi
						Graves (LA)	Mooney (WV)	Weber (TX)
						Graves (MO)	Mullin	Webster (FL)
						Griffith	Mulvaney	Wenstrup
						Grothman	Murphy (PA)	Westerman
						Guinta	Neugebauer	Westmoreland
						Guthrie	Newhouse	Whitfield
						Hanna	Noem	Williams
						Hardy	Nugent	Wilson (SC)
						Harper	Nunes	Wittman
						Harris	Olson	Womack
						Hartzler	Palazzo	Woodall
						Heck (NV)	Palmer	Yoder
						Hensarling	Paulsen	Yoho
						Hice, Jody B.	Pearce	Young (AK)
						Hill	Perry	Young (IA)
						Holding	Pittenger	Young (IN)
						Hudson	Pitts	Zeldin
						Huelskamp	Poe (TX)	Zinke
						Huizenga (MI)	Poliquin	
						Hultgren	Pompeo	

## NOT VOTING—15

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1559

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COSTELLO of Pennsylvania. Mr. Speaker, on rollcall No. 89, I was unavoidably detained. Had I been present, I would have voted "yes."

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, February 25, 2016, I was absent during rollcall vote No. 89. Had I been present, I would have voted "no" on Final Passage of H.R. 3624—Fraudulent Joinder Prevention Act of 2015.

# PROVIDING FOR CONSIDERATION OF H.R. 2406, SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 619) providing for consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 178, not voting 15, as follows:

[Roll No. 90]

YEAS—240

Adams	DeLauro	Kilmer	Abraham	Benishkek	Brady (TX)
Aguilar	DelBene	Kind	Aderholt	Bilirakis	Brat
Amash	DeSaulnier	Kirkpatrick	Allen	Bishop (MI)	Bridenstine
Ashford	Deutch	Kuster	Amodei	Bishop (UT)	Brooks (AL)
Bass	Diaz-Balart	Langevin	Babin	Black	Brooks (IN)
Beatty	Dingell	Larsen (WA)	Blum	Blackburn	Buchanan
Becerra	Doggett	Larson (CT)	Barr	Bloom	Buck
Bera	Doyle, Michael F.	Lawrence	Barton	Bost	Bucshon
Beyer	Duckworth	Lee		Boustany	Burgess
Bishop (GA)	Duncan (TN)	Levin			
Blumenauer	Edwards	Lewis			
Bonamici	Ellison	Lieu, Ted			
Boyle, Brendan F.	Engel	Lipinski			
Brady (PA)	Eshoo	Loeb sack			
Brown (FL)	Farr	Lofgren			
Brownley (CA)	Fattah	Lowenthal			
Bustos	Foster	Lowe			
Capps	Frankel (FL)	Lujan Grisham (NM)			
Capuano	Fudge	Luján, Ben Ray (NM)			
Cárdenas	Gabbard	Lynch			
Carney	Gallego	Maloney			
Carson (IN)	Garamendi	Carolyn			
Cartwright	Graham	Maloney, Sean			
Castor (FL)	Grayson	Massie			
Castro (TX)	Green, Al	Matsui			
Chu, Judy	Griffith	McCollum			
CiCilline	Grijalva	McDermott			
Clark (MA)	Gutiérrez	McGovern			
Clarke (NY)	Hahn	McNerney			
Clay	Heck (WA)	Meeks			
Cleaver	Higgins	Meng			
Clyburn	Himes	Moore			
Cohen	Hinojosa	Moulton			
Connolly	Honda	Murphy (FL)			
Conyers	Huffman	Nadler			
Costa	Israel	Neal			
Courtney	Jackson Lee	Nolan			
Crowley	Jeffries	Norcross			
Cuellar	Johnson (GA)	O'Rourke			
Cummings	Johnson, E. B.	Pallone			
Curbelo (FL)	Jones	Pascarell			
Davis (CA)	Kaptur	Payne			
Davis, Danny	Keating	Pelosi			
DeFazio	Kennedy	Perlmutter			
DeGette	Kildee	Peters			
Delaney					

## NAYS—178

Adams	Chu, Judy	Doyle, Michael F.
Aguilar	CiCilline	
Ashford	Clark (MA)	Duckworth
Bass	Clarke (NY)	Edwards
Beatty	Clay	Ellison
Becerra	Cleaver	Engel
Bera	Clyburn	Eshoo
Beyer	Cohen	Esty
Bishop (GA)	Connolly	Farr
Blumenauer	Conyers	Fattah
Bonamici	Courtney	Foster
Boyle, Brendan F.	Crowley	Frankel (FL)
Brady (PA)	Cuellar	Fudge
Brown (FL)	Cummings	Gabbard
Brownley (CA)	Davis (CA)	Gallego
Bustos	Davis, Danny	Garamendi
Capps	DeFazio	Graham
Capuano	DeGette	Grayson
Cárdenas	Delaney	Green, Al
Carney	DeLauro	Grijalva
Carson (IN)	DelBene	Gutiérrez
Cartwright	DeSaulnier	Hahn
Castor (FL)	Deutch	Heck (WA)
Castro (TX)	Dingell	Higgins
	Doggett	Himes

Hinojosa	Matsui	Sarbanes	Cramer	Jones	Ribble	Langevin	Nadler	Scott (VA)
Honda	McCollum	Schakowsky	Crawford	Jordan	Rice (SC)	Larsen (WA)	Neal	Scott, David
Huffman	McDermott	Schiff	Crenshaw	Joyce	Rigell	Larson (CT)	Nolan	Serrano
Israel	McGovern	Schrader	Culberson	Katko	Roe (TN)	Lawrence	Norcross	Sewell (AL)
Jackson Lee	McNerney	Scott (VA)	Curbelo (FL)	Kelly (MS)	Rogers (AL)	Lee	O'Rourke	Sherman
Jeffries	Meeks	Scott, David	Davis, Rodney	Kelly (PA)	Rohrabacher	Levin	Pallone	Sires
Johnson (GA)	Meng	Serrano	Denham	King (IA)	Rokita	Lewis	Pascarell	Slaughter
Johnson, E. B.	Moore	Sewell (AL)	Dent	King (NY)	Rooney (FL)	Lieu, Ted	Payne	Speier
Kaptur	Moulton	Sherman	DeSantis	Kinzinger (IL)	Ros-Lehtinen	Lipinski	Pelosi	Swalwell (CA)
Keating	Murphy (FL)	Sinema	DesJarlais	Kline	Roskam	Loeb sack	Perlmutter	Takai
Kennedy	Nadler	Sires	Diaz-Balart	Knight	Ross	Lofgren	Peters	Takano
Kildee	Neal	Slaughter	Dold	Labrador	Rothfus	Lowenthal	Peterson	Thompson (CA)
Kilmer	Nolan	Speier	Donovan	LaHood	Rouzer	Lowey	Pingree	Thompson (MS)
Kind	Norcross	Swalwell (CA)	Duffy	LaMalfa	Royce	Lujan Grisham	Pocan	Titus
Kirkpatrick	O'Rourke	Takai	Duncan (SC)	Lamborn	Russell	(NM)	Polis	Tonko
Kuster	Pallone	Takano	Duncan (TN)	Lance	Salmon	Lujan, Ben Ray	Price (NC)	Torres
Langevin	Pascarell	Thompson (CA)	Ellmers	Latta	Sanford	(NM)	Quigley	Tsongas
Larsen (WA)	Payne	Thompson (MS)	Emmer (MN)	LoBiondo	Scalise	Lynch	Rangel	Van Hollen
Larson (CT)	Pelosi	Titus	Farenthold	Long	Schweikert	Maloney,	Rice (NY)	Vargas
Lawrence	Perlmutter	Tonko	Fincher	Loudermilk	Scott, Austin	Carolyn	Richmond	Veasey
Lee	Peters	Torres	Fitzpatrick	Love	Sensenbrenner	Maloney, Sean	Roybal-Allard	Vela
Levin	Peterson	Tsongas	Fleischmann	Lucas	Sessions	Matsui	Ruiz	Velázquez
Lewis	Pingree	Van Hollen	Fleming	Luetkemeyer	Shimkus	McCollum	Ruppersberger	Visclosky
Lieu, Ted	Pocan	Vargas	Flores	Lummis	Shuster	McDermott	Rush	Wasserman
Lipinski	Polis	Veasey	Forbes	MacArthur	Sinema	McGovern	Ryan (OH)	Schultz
Loeb sack	Price (NC)	Vela	Fortenberry	Marchant	Smith (MO)	McNerney	Sánchez, Linda	T.
Lofgren	Quigley	Velázquez	Fox	Marino	Smith (NE)	Meeks	T.	Watson Coleman
Lowenthal	Rangel	Visclosky	Franks (AZ)	Massie	Smith (NJ)	Meng	Sarbanes	Welch
Lowey	Rice (NY)	Walz	Frelinghuysen	McCarthy	Smith (TX)	Moore	Schakowsky	Wilson (FL)
Lujan Grisham	Richmond	Wasserman	Garrett	McCauley	Stefanik	Moulton	Schiff	Yarmuth
(NM)	Roybal-Allard	Schultz	Gibbs	McClintock	Stewart	Murphy (FL)	Schrader	
Luján, Ben Ray	Ruiz	Waters, Maxine	Gibson	McHenry	Stivers			
(NM)	Ruppersberger	Watson Coleman	Gohmert	McKinley	Stutzman	Butterfield	Hoyer	Roby
Lynch	Rush	Welch	Goodlatte	McMorris	Thompson (PA)	Cook	Jeffries	Rogers (KY)
Maloney,	Ryan (OH)	Wilson (FL)	Gosar	Rodgers	Thornberry	Cooper	Kelly (IL)	Sanchez, Loretta
Carolyn	Sánchez, Linda	Yarmuth	Gowdy	McSally	Tiberi	Green, Gene	Napolitano	Simpson
Maloney, Sean	T.		Granger	Meadows	Tipton	Hastings	Palazzo	Smith (WA)
			Graves (GA)	Meehan	Trott	Herrera Beutler	Palmer	
			Graves (LA)	Messer	Turner			
			Graves (MO)	Mica	Upton			
			Griffith	Miller (FL)	Valadao			
			Grothman	Miller (MI)	Wagner			
			Guinta	Moolenaar	Walberg			
			Guthrie	Mooney (WV)	Walden			
			Hanna	Mullin	Walker			
			Hardy	Mulvaney	Walorski			
			Harper	Murphy (PA)	Walters, Mimi			
			Harris	Neugebauer	Walz			
			Hartzler	Newhouse	Weber (TX)			
			Heck (NV)	Noem	Webster (FL)			
			Hensarling	Nugent	Wenstrup			
			Hice, Jody B.	Nunes	Westerman			
			Hill	Olson	Westmoreland			
			Holding	Paulsen	Whitfield			
			Hudson	Pearce	Williams			
			Huelskamp	Perry	Wilson (SC)			
			Huizenga (MI)	Pittenger	Wittman			
			Hultgren	Pitts	Womack			
			Hunter	Poe (TX)	Woodall			
			Hurd (TX)	Poliquin	Yoder			
			Hurt (VA)	Pompeo	Yoho			
			Issa	Posey	Young (AK)			
			Jenkins (KS)	Price, Tom	Young (IA)			
			Jenkins (WV)	Ratcliffe	Young (IN)			
			Johnson (OH)	Reed	Zeldin			
			Johnson, Sam	Reichert	Zinke			
			Jolly	Renacci				

## NOT VOTING—15

Butterfield	Hastings	Roby
Cole	Herrera Beutler	Rogers (KY)
Cook	Hoyer	Sanchez, Loretta
Cooper	Kelly (IL)	Simpson
Green, Gene	Napolitano	Smith (WA)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1607

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, February 25, 2016, I was absent during rollcall No. 90. Had I been present, I would have voted “no” on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 2406.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 175, not voting 17, as follows:

[Roll No. 91]

## YEAS—241

Abraham	Blackburn	Calvert
Aderholt	Blum	Carter (GA)
Allen	Bost	Carter (TX)
Amash	Boustany	Chabot
Amodel	Brady (TX)	Chaffetz
Babin	Brat	Clawson (FL)
Barletta	Bridenstine	Coffman
Barr	Brooks (AL)	Cole
Barton	Brooks (IN)	Collins (GA)
Benishek	Buchanan	Collins (NY)
Bilirakis	Buck	Comstock
Bishop (MI)	Bucshon	Conaway
Bishop (UT)	Burgess	Costa
Black	Byrne	Costello (PA)

Adams	Cleaver	Foster
Aguilar	Clyburn	Frankel (FL)
Ashford	Cohen	Fudge
Bass	Connolly	Gabbard
Beatty	Conyers	Gallagher
Becerra	Courtney	Garamendi
Bera	Crowley	Graham
Beyer	Cuellar	Grayson
Bishop (GA)	Cummings	Green, Al
Blumenauer	Davis (CA)	Grijalva
Bonamici	Davis, Danny	Gutiérrez
Boyle, Brendan F.	DeFazio	Hahn
Brady (PA)	DeGette	Heck (WA)
Brown (FL)	Delaney	Higgins
Brownley (CA)	DeLauro	Himes
Bustos	DelBene	Hinojosa
Capps	DeSaunier	Honda
Capuano	Deutch	Huffman
Cárdenas	Dingell	Israel
Carney	Doggett	Jackson Lee
Carson (IN)	Doyle, Michael F.	Johnson (GA)
Cartwright	Duckworth	Johnson, E. B.
Castor (FL)	Edwards	Kaptur
Castro (TX)	Ellison	Keating
Chu, Judy	Engel	Kennedy
Ciциlline	Eshoo	Kildee
Clark (MA)	Esty	Kilmer
Clarke (NY)	Farr	Kind
Clay	Fattah	Kirkpatrick
		Kuster

## NAYS—175

Foster	Frankel (FL)	Fudge	Gabbard	Gallagher	Garamendi	Graham	Grayson	Green, Al	Grijalva	Gutiérrez	Hahn	Heck (WA)	Higgins	Himes	Hinojosa	Honda	Huffman	Israel	Jackson Lee	Johnson (GA)	Johnson, E. B.	Kaptur	Keating	Kennedy	Kildee	Kilmer	Kind	Kirkpatrick	Kuster
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## NOT VOTING—17

Butterfield	Hoyer	Roby
Cook	Jeffries	Rogers (KY)
Cooper	Kelly (IL)	Sanchez, Loretta
Green, Gene	Napolitano	Simpson
Hastings	Palazzo	Smith (WA)
Herrera Beutler	Palmer	

□ 1614

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, February 25, 2016, I was absent during rollcall vote No. 91. Had I been present, I would have voted “no” on H. Res. 619—Rule providing for consideration of H.R. 2406—Sportsmen's Heritage and Recreational Enhancement (SHARE) Act.

## PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Madam Speaker, I was unable to vote on Thursday, February 25, 2016, due to important events being held today in our district in Houston and Harris County, Texas. If I had been able to vote, I would have voted as follows: On the Cartwright Amendment to H.R. 3624, the Fraudulent Joinder Prevention Act, I would have voted “yea.” On the Democratic Motion to Recommit H.R. 3624, I would have voted “yea.” On Final Passage of H.R. 3624, I would have voted “no.” On the Motion on Ordering the Previous Question on the Rule for H.R. 2406, Sportsmen's Heritage and Recreational Enhancement Act, I would have voted “no.” On H. Res. 619, the resolution providing for consideration of H.R. 2406, I would have voted “no.”

## SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2015

## GENERAL LEAVE

Mr. WITTMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2406, the SHARE Act.

The SPEAKER pro tempore (Mr. DENHAM). Is there objection to the request of the gentleman from Virginia? There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 619 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2406.

The Chair appoints the gentlewoman from Tennessee (Mrs. BLACK) to preside over the Committee of the Whole.

□ 1616

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, with Mrs. BLACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. WITTMAN) and the gentleman from Virginia (Mr. BEYER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Chair, I yield myself such time as I may consume.

Madam Chair, before the House today is the Sportsmen's Heritage and Recreational Enhancement Act of 2016, better known as the SHARE Act. It is a package of commonsense bills that will increase opportunities for hunters, recreational shooters, and anglers; eliminate unneeded regulatory impediments; safeguard against new regulations that impede outdoor sporting activities; and protect Second Amendment rights. Similar packages were passed with strong bipartisan support in both the 112th and 113th Congresses.

Outdoor sporting activities, including hunting, fishing, and recreational shooting, are deeply engrained in the fabric of America's culture and heritage. Values instilled by partaking in these activities are passed down from generation to generation and play a significant part in the lives of millions of Americans.

Much of America's outdoor sporting activity occurs on our Nation's Federal lands. Unfortunately, Federal agencies like the U.S. Forest Service and Bureau of Land Management often prevent or impede access to Federal lands for outdoor sporting activities. Because lack of access is one of the key reasons sportsmen and -women stop participating in outdoor sporting activities, ensuring the public has reliable access to our Nation's Federal lands must remain a top priority.

The SHARE Act does just that. One of the key provisions in the bill, the Recreational Fishing and Hunting Heritage Opportunities Act, will increase and sustain access for hunting, fishing, and recreational shooting on Federal lands for generations to come. Specifi-

cally, it protects sportsmen and -women from arbitrary efforts by the Federal Government to block Federal lands from hunting and fishing activities by implementing an "open until closed" management policy.

Another provision in the package will give State and Federal agencies the tools to jointly create and maintain recreational shooting ranges on Federal lands. In addition, the bill allows the Department of the Interior to designate hunting access corridors throughout our national parks so that sportsmen and -women can access adjacent Federal lands to hunt and fish.

The package also protects Second Amendment rights and the use of traditional ammunition and fishing tackle. It defends law-abiding individuals' constitutional right to keep and bear arms on lands managed by the Army Corps of Engineers and ensures that hunters are not burdened by outdated laws preventing bows and crossbows from being transported across national parks.

Finally, the package prevents the implementation of onerous constraints by the U.S. Fish and Wildlife Service on lawfully possessed domestic ivory products and eliminates red tape associated with the importation of 41 lawfully harvested polar bear hunting trophies.

This important legislation will sustain America's rich hunting and fishing traditions, improve access to our Federal lands for responsible outdoor sporting activities, and help ensure that the current and future generations of sportsmen and -women are able to enjoy the sporting activities our country has to offer and what we hold dear.

I strongly encourage my colleagues to vote "yes" on this important election.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, 22 February 2016.

Hon. BOB GOODLATTE,  
Chairman, Committee on the Judiciary,  
Washington, DC.

DEAR MR. CHAIRMAN: During the week of February 22, 2016, the House will be debating H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on the Judiciary, among other committees.

At the request of Vice Chairman Cynthia Lummis, I ask that you allow the inclusion of the text of H.R. 3279, the Open Book on Equal Access to Justice Act, as passed by the House of Representatives, as part of a manager's amendment to the bill. Mrs. Lummis is a cosponsor of the measure and has discussed this course of action with the bill's author. The Senate counterpart to H.R. 2406 already includes such a provision, and I believe it would be a substantial improvement to the bill and bolster its purpose of increased sportsmen's opportunities to hunt, fish and recreationally shoot. If the amendment is adopted, this action would in no way affect your jurisdiction over the subject matter of the amendment, and it will not serve as precedent for future amendments. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee on this matter.

Finally, I would be pleased to include this letter and any response in the Congressional Record to document our agreement.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
Chairman,  
Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, February 23, 2016.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 2406, the "Sportsmen's Heritage and Recreational Enhancement Act of 2015," which the House is scheduled to debate this week. As a result of your having consulted with us on the inclusion of the text of H.R. 3279, the "Open Book on Equal Access to Justice Act," as part of your Committee's manager's amendment to H.R. 2406, I agree to allow the text of H.R. 3279 to be included in the amendment.

The Judiciary Committee takes this action with our mutual understanding that by allowing the inclusion of the text of H.R. 3279 in the manager's amendment, we do not waive any jurisdiction over subject matter contained in H.R. 3279 or similar legislation, and that our Committee will be appropriately consulted and involved as H.R. 2406 moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving H.R. 2406, and asks that you support any such request.

I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 2406.

Sincerely,

BOB GOODLATTE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, February 23, 2016.

Hon. KEVIN BRADY,  
Chairman, Committee on Ways and Means,  
Washington, DC.

DEAR MR. CHAIRMAN: On December 10, 2015, the Committee on Natural Resources favorably reported as amended H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015.

The reported bill contains provisions affecting import bans, a matter within the jurisdiction of the Ways and Means Committee. I ask that you not seek a sequential referral of the bill so that it may be scheduled by the Majority Leader this week. This concession in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record to document this agreement.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, February 23, 2016.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 2406, the "Sportsmen's Heritage and Recreational Enhancement Act of 2015," which the Committee on Natural Resources ordered reported favorably. As you note, several provisions of the bill affect the establishment and operation of import bans, a matter that is within the jurisdiction of the Committee on Ways and Means. I agree to forego action on this bill so that it may proceed expeditiously to the House floor for consideration.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2406 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 2406.

Sincerely,

KEVIN BRADY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, December 2, 2015.

Hon. K. MICHAEL CONAWAY,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Agriculture, among other committees. My staff has shared a copy of the reported text with your staff.

I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, December 8, 2015.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to review H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. As you are aware, the bill was primarily referred to the Committee on Natural Resources, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I agree to discharge H.R. 2406 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

K. MICHAEL CONAWAY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, December 7, 2015.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Transportation and Infrastructure, among other committees.

I ask that you allow the Committee on Transportation and Infrastructure to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,  
Washington, DC, December 8, 2015.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR CHAIRMAN BISHOP: I write concerning H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015 (SHARE

Act). This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 2406, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Should a conference on the bill be necessary, I fully expect the Committee on Transportation and Infrastructure to be represented on the conference committee.

Thank you for your assistance in this matter and for agreeing to include a copy of this letter in the bill report filed by the Committee on Natural Resources, as well as in the Congressional Record during Floor consideration.

Sincerely,

BILL SHUSTER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, December 9, 2015.

Hon. FRED UPTON,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Energy and Commerce, among other committees.

I ask that you allow the Committee on Energy and Commerce to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, December 9, 2015.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015.

As you noted, the bill was additionally referred to the Committee on Energy and Commerce, and I agree to the discharge of the Committee from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects the Committee's jurisdiction over the subject matter of the bill, and it will not

serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I appreciate your support for my request to have the Committee represented on the conference committee.

Finally, I appreciate the inclusion of your letter and this response in the bill report tiled by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your assistance.

Sincerely,

FRED UPTON,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, December 9, 2015.

Hon. BOB GOODLATTE,  
*Chairman, Committee on the Judiciary, Washington, DC.*

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on the Judiciary, among other committees.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
*Chairman,*  
*Committee on Natural Resources.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, December 9, 2015.

Hon. ROB BISHOP,  
*Chairman, Committee on Natural Resources, Washington, DC.*

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 2406, the "Sportsmen's Heritage and Recreational Enhancement Act of 2015," which the Committee on Natural Resources recently ordered reported favorably. As a result of your having consulted with us on provisions in H.R. 2406 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2406 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would ask that a copy of our exchange of letters on this matter be included in the

Congressional Record during floor consideration of H.R. 2406.

Sincerely,

BOB GOODLATTE,  
*Chairman.*

Mr. WITTMAN. Madam Chair, I reserve the balance of my time.

Mr. BEYER. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise to oppose H.R. 2406, with great respect for my friend, the gentleman from Virginia. I respect very much what Representative WITTMAN and others are trying to do.

The best I can do to describe H.R. 2406 is a missed opportunity. Many of the titles in the bill are inoffensive, but others would significantly hinder conservation efforts that benefit hunters, anglers, and other lovers of the outdoors.

I myself am an avid hiker, Madam Chair. I just completed 25 miles on the Appalachian Trail in the snow last week in Representative GOODLATTE's district. I am up to 1,288 miles on the Appalachian Trail. I would love to see conservation efforts that protect the long-term legacy of the Appalachian Trail like the Land and Water Conservation Fund.

Simply put, this bill doesn't include the sporting community's top legislative priorities. The Natural Resources Committee Democrats have been clear from the beginning that we are open to discussions that could lead to compromise legislation—legislation that would indeed include many of the pieces of this bill, but also additional titles that would earn it broad bipartisan support.

In a letter several days ago, Ranking Member GRIJALVA wrote to the chair expressing optimism that a non-controversial outcome could still be achieved and requesting negotiations to produce a bill that would pass the House without opposition. Unfortunately, this request was denied.

So I would love to have this bill on the suspension calendar, but not on the suspension calendar I would like to detail nine specific objections.

Objection 1, this bill omits the top two priorities of the outdoors community, the permit reauthorization of the Land and Water Conservation Fund, and the permit reauthorization of the North American Wetlands Conservation Act.

LWCF has provided funding to help protect some of Virginia's most special places: the Rappahannock River Valley, Back Bay National Wildlife Refuge, Shenandoah Valley Battlefields Historic District, and the Appalachian Trail.

Studies have shown that for every dollar of LWCF invested, there is a \$4 return to communities. The broader outdoor recreation conservation economy is responsible for more than \$600 billion in consumer spending every year.

This is one of the Nation's premier programs. Over the years, LWCF has been responsible for more than 40,000

State and local outdoor recreation projects: playgrounds, parks, refuges, and baseball fields. There is strong bipartisan support. I believe 88 percent of Americans want Congress to preserve it. So now is the perfect opportunity to do that.

We have had hearings in the Committee on Natural Resources on Representative Chairman BISHOP's bill. We need hearings on Representative GRIJALVA's H.R. 1814, which has more than 200 bipartisan cosponsors. This bill was the perfect opportunity to include that bill.

It was also the perfect opportunity to do the North American Wetlands Conservation Act, NAWCA. It is a voluntary, nonregulatory conservation program. Farmers, ranchers, and other private landowners support the program, and every project is voluntary. It fosters conservation efforts by the non-Federal sector.

Over the years, nearly 5,000 corporate, small business, nonprofit, State, and local entities have tripled NAWCA dollars by providing matching funds. The 50 State wildlife agencies are all active partners in it, and demand for NAWCA continues to exceed available funds. So this was debated and thoroughly vetted in the 112th and the 113th Congresses. It was unanimously reauthorized by Congress in 2006, and this was a great vehicle to do that.

Objection 2, title X, I believe, which is the ivory title, this would gut the administration's proposed ivory rule. Last year, the U.S. Fish and Wildlife Service seized a 1-ton stockpile of illegal elephant ivory, most of which was seized from a Philadelphia antique dealer named Victor Gordon.

For at least 9 years, Gordon imported and sold ivory from freshly killed African elephants in violation of U.S. law and the laws of the countries where the elephants were poached and the ivory was stolen. While a ton of ivory was confiscated, there is no way to know how much Gordon had sold during the previous decade or where it is now.

How did he get away with it for so long?

The ivory was doctored so it looked old enough to pass through a loophole in enforcement of the African Elephant Conservation Act, a law that was passed by us in 1989 to end the commercial import and export of ivory.

The Obama administration's proposed ivory rule would close that loophole and prevent U.S. citizens from being involved—knowingly or unknowingly—in elephant poaching and the trafficking crisis. Ending the commercial ivory trade does not mean taking away the people's musical instruments, ivory-handled pistols, or family heirlooms. Museum collections, scientific specimens, and sport-hunted trophies will also be allowed to move freely. Neither the Fish and Wildlife Service's direct order nor the forthcoming Endangered Species Act rule restrict possession or transport within the United

States, and transport into and out of the country will still be allowed with the appropriate documentation.

Further, items up to 200 grams—7 ounces—of ivory can still be bought and sold, and that is more ivory than is in any piano or ivory-gripped pistol.

What the rule will do is stop profiteering off elephant parts in this country. As long as ivory has monetary value, people will kill elephants to get it. Eliminating value will eliminate demand, and it is a necessary component of the broader U.S. strategy to reduce wildlife poaching and trafficking.

I am disappointed that Ranking Member GRIJALVA's amendment to strike ivory was not made in order in the Rules Committee, but I understand no one wanting to vote on this floor to be in favor of killing more elephants. Regardless, the inclusion of that provision in this bill before us today shows that somehow we are unaware or unconcerned with the fact that poachers are slaughtering nearly 100 African elephants a day.

Objection 3, Madam Chair, is section 302 of SHARE Act that would allow polar bear trophies. It creates a loophole in the Marine Mammal Protection Act to allow a handful of wealthy trophy hunters to import polar bear trophies into the U.S. in defiance of current law.

If passed, this will be the fourth major carve-out by Congress since 1994 for Americans who have hunted polar bears in Canada. Although the number of polar bears affected by this loophole will be relatively small, the cumulative effect of the carve-outs has been detrimental to an imperiled species.

And these trophy hunters were not caught up in government bureaucracy or red tape. All the individuals hunted the bears after the George W. Bush administration proposed the species for listing as threatened under the Endangered Species Act despite repeated warnings from government agencies, hunting groups, and the conservation community that the trophies could face a bar on importation and that these hunters were hunting at their own risk.

Granting this request would create a dangerous precedent by encouraging hunters to race for trophies the moment any species is considered for listing when such species most need protection, knowing they can rely on Congress later to let them import their trophies.

Objection 4, the provision gives States the veto power on Federal fishing management and national marine parks, sanctuaries, and monuments.

I flew to Homestead, Florida, this past spring, Madam Chair, for their public hearing on the Biscayne Bay, a national marine that was set aside by the park service. It was a small, small percentage of the total Federal lands and waters. About half the fishermen there were for it and half the fishermen were against it, but it missed the fact that these were not State waters and

that we in Congress have a responsibility to the entire Nation, not just for any one county or one region.

Our oceans cover more than 70 percent of the Earth, and 99 percent of that water is open to fishing, but in some cases science shows that we must protect certain areas. We all want more people to have more fishing opportunities, but the fish have to be there.

I was impressed by something the director of NOAA told me a couple years ago, that the fishing marine reserves in the Pacific set aside by George W. Bush, you can now see them from space because the fish have recovered so quickly within those reserves, that the fishing vessels outline the perimeter of the reserve, which you can see from 100 miles away.

Objection 5, title 15 bars the Forest Service from restricting dog deer hunting on certain national forest lands in Louisiana, Mississippi, Oklahoma, and Arkansas. The aim is to allow for a continued hunting of deer with dogs, which is an extremely controversial practice that pits landowners against hunters.

Landowners complained. This didn't come from overzealous environmentalists or Federal regulators. It came from landowner complaints to the Forest Service to ban deer dogging in the Louisiana Kisatchie National Forest.

□ 1630

Congress should let expert land managers manage land and other resources valued by all Americans. This decision to ban hunting deer with dogs was necessary to create balance among multiple users of the forest, and Congress should respect that.

Objection 6 is title IV that creates the Recreational Lands Self-Defense Act. This bill would actually prohibit the Army from developing or enforcing any regulation that prohibits an individual from possessing a firearm at recreation areas administered by the Corps of Engineers. It is just hard to believe that we are going to restrict the Army from regulating gun use on Army property. If the Army is in charge of lands management, it should be able to determine whether firearms are appropriate on a site.

Army lands abut family homes and other sensitive sites. We should not lightly permit access in places where an accidental shot could wind up in someone's backyard or in a sensitive location. Accidental shots are real. A longtime family friend—a West Point graduate and a retired Army colonel—was sitting at his desk when a bullet, an accidental bullet, came through the window, hit him in the back of the neck, and he is a quadriplegic today.

Objection 7 is title IX that changes a successful program, the Federal Land Transaction Facilitation Act. On the Natural Resources Committee, we have heard much from the majority, appropriately, about how we need to deal with the incredible infrastructure de-

ferred maintenance backlog that we have on lands that we own. Basically, that we shouldn't buy more until we take care of what we already have. This would allow the existing act to take 100 percent of the land from land transactions and spend it on deferred maintenance.

This violates the whole original idea of the act: that we would sell Federal land to get more Federal land back. Furthermore, it makes these expenditures subject to appropriation. So if we bring in X million dollars in land sold, we don't have to buy or even use that X million dollars on new deferred maintenance. It could just go to—wherever.

I am disappointed that the bipartisan land-for-land PLTFA version that sportsmen in 165 groups have championed for a decade isn't included in the SHARE Act today.

Objection 8 is title VI. Currently over 75 percent of all Federal land is open to hunting and fishing, but title VI deems all Bureau of Land Management and Forest Service land open for hunting unless it is closed by the head of the agency through a long closure process. Right now, they can be closed by local land managers.

Once again, I find this a little ironic because so much of the theme from the majority, which I respect, is to move decisionmaking back close to the communities that are actually affected. In this case, they are moving it away from the communities and to Washington, D.C., to close these lands. It also undermines the Wilderness Act, the National Environmental Policy Act, and the National Wildlife Refuge System Administration Act.

Finally, Madam Chair, objection 9 is trapping. The SHARE Act would dramatically expand the use of body-gripping traps on Federal public lands, including in sensitive wilderness areas. The provision takes the step, unprecedented in Federal law, of adding trapping to the definition of hunting, then creating a presumption that all these Federal public lands are open. Millions of acres of land would be open to trapping.

Even under current law, roughly 6 million targeted animals are killed in traps every year, according to Association of Fish and Wildlife Agencies. Held in a painful leghold trap, a beaver, a bobcat, a fox, will try desperately to break free in the hours or days until they succumb to dehydration, predators, or death at the hands of trappers. Traps are dangerous and they are indiscriminate in snaring not only targeted areas, but threaten endangered species, pets, or even unsuspecting children and adults.

Leghold traps have already been prohibited or severely restricted in nine U.S. States in over 80 countries. Congress should be acting to protect the public, endangered species, and pets from dangerous and indiscriminate body-gripping traps, not expanding their use into additional areas. Really,



how can trapping be described as sportsmanlike?

Madam Chair, I reserve the balance of my time.

Mr. WITTMAN. Madam Chair, I yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Chair, I thank the gentleman for yielding and for his work on behalf of American sportsmen.

Madam Chair, three overarching goals should guide our Federal land policy. First, to restore public access to the public lands; second, to restore sound and proven scientific management to the public lands; and finally, to restore the Federal Government as a good neighbor to the local communities impacted by the public lands.

This measure does all three. It removes the arbitrary and capricious restrictions that are increasingly imposed on hunting and fishing by various Federal agencies; it enlists sportsmen in the long-neglected management of overpopulated species; and it gives more funds to States for recreational activities on public lands while encouraging greater participation by the public in developing these policies.

Outdoor sporting activities, including hunting and fishing and recreational shooting, are deeply engrained in the fabric of America's culture and heritage that are now under attack by the radical left.

In 2011, over 37 million Americans hunted or fished across the country. These traditional outdoor activities contributed over \$90 billion to the U.S. economy in 2011, much of it in the gateway communities to our public lands. Unfortunately, Federal agencies like the Forest Service and the BLM often prevent or impede public access for outdoor sporting activities. This is a large and growing class of complaints that my office fields in a district that includes five national forests in the Sierra Nevada of California.

One of the key provisions of this bill will increase and sustain access for hunting and fishing and recreational shooting on public lands by implementing an "open until closed" management policy. It also requires Federal agencies to report to Congress on any closures of Federal lands to these pursuits. Another provision would provide State and Federal coordination to create and maintain recreational shooting ranges on the Federal lands.

This bill protects the property rights of those who have acquired ivory products and other trophies over generations, long before any of this hunting was banned, and often passed on down through the generations within a family. It does absolutely nothing to imperil the protected species under current laws.

The purpose of the public lands can be found in the original Yosemite Grant Act of 1864: public use, resort, and recreation for all time. The SHARE Act recognizes our Nation's hunting and fishing heritage; it

strengthens the fundamental right of public use; it secures the vital role that recreational hunting and fishing play in resource management; and it guarantees the freedom to sustain that heritage for the many generations of Americans to come.

Mr. BEYER. Madam Chair, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Madam Chair, I thank my colleague for yielding.

Madam Chair, I rise in strong opposition to H.R. 2406. This bill is being described as a simple package to support hunting and fishing on Federal lands.

For fishing and hunting to be sustained, it must be done with a mind toward conservation. Unfortunately, this bill fails to achieve this need, and it threatens the very environment that supports the animals. Of course, by doing so, it endangers the sustainability and long-term viability of hunting and fishing, also.

Furthermore, this bill ignores scientifically based best practices, leaving these lands at risk. While there are numerous bad provisions in the bill, including allowing ill-advised ivory and polar bear importation and actually preventing scientifically based regulations, this bill is particularly troubling because it limits Federal management, lead ammunition, and fishing tackle.

We hear every day about the dangers of lead. The devastating impacts of lead poisoning are not just restricted to people. I have seen these dangers firsthand, as they are extremely apparent in my district on the central coast of California.

As anyone from California knows, the California condor, the largest North American land bird and an iconic species along the central coast, was on the brink of extinction, in large part due to lead poisoning. A looming threat to this species remains, so we must stay vigilant. In fact, this danger is so imminent that published research shows that the species is unlikely to survive unless we continue to substantially reduce the threat of lead in the environment.

The source of this lead is not a mystery. It is in large part the result of lead from hunting and fishing equipment. Lead poisoning is a terrible and cruel way for any animal to die. While the risk to condors is immediate, this risk is not limited in any way to this one species.

Continuing to pollute our lands and waters with lead ammunition and fishing tackle makes absolutely no sense. But the bill before us would keep the Federal Government from doing anything to address this issue. It is so dangerous and shortsighted.

That is why I offered an amendment at the Rules Committee which would have removed this dangerous language from the bill; but unfortunately, we will not be able to fix this problem on the floor because my amendment has been blocked from a vote. Despite its name, the SHARE Act would do little

good and a great deal of harm. This is a bad bill.

I urge my colleagues strenuously to oppose it.

Mr. WITTMAN. Madam Chair, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Madam Chair, I want to thank my friend from Virginia for yielding and for his leadership in bringing the SHARE Act forward.

I rise in strong support of this legislation that protects the rights of sportsmen and protects the rights of gun owners.

Madam Chair, I am proud to come from Louisiana, which is called the Sportsman's Paradise. We have great traditions of hunting and fishing throughout our State.

If you look at the barrage of regulations that have come out from this administration over the years, it has attacked so many different fundamental aspects of our society, so many things that make our country great. Of course, the right to hunt and fish is something that is not only a fundamental right for people, but it is actually something that brings families together. It is one of the great traditions that we love to share with our children. Our parents brought us hunting and fishing.

Yet if you look at some of the regulations coming out of these Federal agencies today, it is actually undermining those rights. What this bill is targeted at is restoring those rights, to make sure, for example, when you have got agencies like the Corps of Engineers that are trying to arbitrarily shut off lands for the ability of people to go hunt, they shouldn't be able to do that. In fact, under this legislation, they won't be able to continue doing that. No unelected bureaucrat should be able to limit the rights of law-abiding citizens.

Something else we have seen, Madam Chair, is the Environmental Protection Agency, unfortunately an agency we hear a lot about around this town, that is out there threatening jobs, taking away the ability for people to do things that are important to their everyday lives.

The EPA has been threatening to ban lead ammo and tackle. In this bill, we block the EPA from being able to ban lead ammo. Again, this is something that is fundamental to our rights as sportsmen, as hunters and fishermen, to be able to enjoy the fruits of our land.

There are over 50 sports organizations that are supporting this legislation. I just want to read from the National Rifle Association's Institute for Legislative Action: "The SHARE Act would give law-abiding gun owners more access to carry firearms on land managed by the Army Corps of Engineers, protect lead-based ammunition, and promote the construction and maintenance of public target ranges."

Madam Chair, it is important legislation. I encourage all of our colleagues

to support it and pass it over to the Senate.

Mr. BEYER. Madam Chair, I yield 3 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. Madam Chair, I thank the gentleman for yielding time.

I rise in support of the SHARE Act and the Sportsmen's Heritage and Recreational Enhancement Act.

I thank my co-chair on the Sportsmen's Caucus, Mr. WITTMAN, for his work on this bill. Like so many you have heard here today, we, as a Nation, are blessed with an abundance of opportunities in the outdoors. Like so many, I take advantage of them: hiking, biking, hunting, and fishing.

For those who do participate in hunting and fishing, it truly is a passion, it is a way of life, and it is a heritage that we share with our parents. I don't think there is one of us who participated in it who doesn't remember a crisp autumn morning, waking up with our father, cooking breakfast, and going out to the field with the dew on the grass and the Sun coming up. To this day, I don't remember if we necessarily got a pheasant, but I remember my dad, and I remember talking about it.

It was on those trips that I think we understood that hunting and fishing, as a way of life, is not in a vacuum.

Hunting and fishing in Minnesota, 1.7 million Minnesotans participate in hunting and fishing. That contributes \$3 billion to our economy and creates 48,000 direct jobs. If you take that across the Nation, it is \$90 billion a year to our economy. That is not in a vacuum either, because we have a really unique system of conservation in this country: user pays and public benefits. Every shell and cartridge that is purchased and every fishing rod and boat that is purchased has an excise tax in it that goes back into the very conservation.

□ 1645

The people who are out hunting and fishing understand as well as anyone, if you don't have the proper habitat, you don't have the pheasants.

An organization like I belong to, Pheasants Forever, has literally put in all of the money and has leveraged this in order to turn tens of thousands of acres of the prairie back to virgin prairie, which are now abundant with game for people to take advantage of. Those are the types of things that make sense.

I understand the concerns that the gentleman expressed, and I understand that this is not a perfect bill. But I can tell you that it has been worked on for a long time and that it is a starting point.

There is a realization and an understanding that we have to compromise on issues. We are going to have to work with the Senate, and we are going to get this in front of the President.

Yet, I think most of us agree that our goal with this is to allow Americans to

continue to have their constitutional rights and their abilities to do those activities they want, whether that be hiking, whether that be mountain biking, whether that be hunting, or whether that be fishing and, at the same time, to make sure that there is an economic engine in it that contributes to the ability to keep those lands up.

I ask my friends to approach it with an open mind and to understand that this is truly deeply engrained in this culture. There are commonalities here. We have the same goals, to make sure these are available for our children.

If we can come together and work on this, we have to take this first step. We are becoming a more populated country, and there are fewer opportunities for people to get out there. Many people are not landowners themselves; so, the public lands are the only places at which these activities can take place.

There is enough out there. If we manage it right, we can share the land, as the act says, and we can do those activities that mean a lot to us and continue them for future generations.

I encourage my colleagues to support this piece of legislation.

Mr. WITTMAN. Madam Chair, I yield 3 minutes to the gentleman from Utah (Mr. BISHOP), the chairman of the Natural Resources Committee.

Mr. BISHOP of Utah. Madam Chair, I thank Mr. WITTMAN and Mr. WALZ for working with our committee to bring this bipartisan bill together to protect hunting and shooting heritages.

One of the things that I, as well as many of my colleagues, hear repeatedly from our constituents is the complaint that land management agencies have blocked access to Federal lands. That especially goes for hunters and anglers and target shooters.

Our national monuments alone have already closed 928,000 acres to hunting and recreational shooting. Most of those areas are, unfortunately, easily accessible. You don't have to walk miles to try and get to them.

There are some who condemn this by saying that the vast majority of public lands is still open for hunting and shooting. The problem is the proximity.

The ones that are being closed are those that are easily accessible to especially those people who live in urban areas who don't have to go miles and miles to do it.

In addition to that, the problem is that the Bureau of Land Management and the Forest Service make no assessment on the impact of closing lands to shooters or to anglers.

They don't identify where the displaced recreationalists are being able to go, how far they have to travel, or what kind of access would be available to them. At a minimum, this bill forces them to take that into consideration.

I wish it were tougher language that would force them to make some kind of accommodations. But at least for the first time they are actually going to

consider those issues, because hunting and fishing and shooting are part of the multiple-use mandate for our public lands. There is no question about it.

I also want to make a couple of points very clear in that the language in title IV that deals with this bill, that deals with the Army Corps lands, allows law-abiding American citizens to carry firearms on Army Corps recreational lands.

The Army Corps is not the Army. There is a difference between the two. We are not talking about military lands, but recreational lands.

What this does is make these recreational lands that are owned by the Army Corps of Engineers compliant and parallel to the laws we have for the Forest Service as well as for the BLM and the Park Service, as it deals with carrying weapons as long as they are in compliance with State and Federal law.

Many Members think this is, basically, a hunting issue. It is not. The primary reason for this language has to do with the fundamental right of self-defense, and it does make it consistent.

I want to make two final points here.

The Natural Resources Committee strongly encourages the Bureau of Land Management and the U.S. Forest Service to develop agency-wide policies, in consultation with the Wildlife and Hunting Heritage Conservation Council and the Sport Fishing and Boating Partnership Council, that reflect the intent of this act. These policies should ensure that there is more access to America's Federal lands for hunting, fishing, and recreational shooting.

These councils represent the interests and needs of sportsmen and -women who depend on having access to Federal lands for outdoor sporting activities.

I will also be reaching out to the Bureau of Land Management and to the Forest Service for regular updates on the progress being made in developing these policies within 30 days of each respective council meeting.

I appreciate the gentleman's compliance and understanding.

Vote for what is good about this bill, not for what is not there.

Mr. BEYER. Madam Chair, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER), my colleague and good friend.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this bill.

Madam Chair, I, too, am a passionate advocate of public spaces, of outdoor recreation, and I understand the importance of protecting some of our Nation's most pristine places.

My constituents enjoy hunting and fishing and are involved in exploring the great outdoors. That is why it is unfortunate that what we have before us today is a piece of legislation that is unduly partisan and special-interest-oriented and is not speaking in terms of things that could have brought us

together in something that could have been a lovefest.

Why aren't we making a permanent reauthorization of the Land and Water Conservation Fund and making sure that it is funded?

Yesterday we had hundreds and hundreds of women from the Federated Garden Club of America, just one more group adding its voice to something that is supported by people who hunt, people who fish, people who hike, people who enjoy the opportunity of what the Land and Water Conservation Fund represents.

Instead, we are veering off. We are in the process now of having legislation in this bill that does pose serious problems in terms of environmental protections. I will give one specific example in terms of what is happening in the area of ivory.

Voters in Washington recently voted overwhelmingly to ban on a State level traffic in ivory. You are going to see this fall in my State of Oregon that an initiative is going to be approved that is going to close loopholes in terms of allowing trade in my State for ivory.

This has nothing to do with grandma's antique piano or somebody who has an ivory-handled pistol that has been in the family for years. We have a thriving international trade in ivory that is resulting in the destruction of a species. We are losing 100 elephants a day.

At the rate we are going, by the end of the decade—within 10 years—there will be no more wild African elephants. The trade in ivory fuels some of the most heinous acts by some of the most vicious people in the world.

Terrorists use these funds for their horrific activities, particularly in sub-Saharan Africa, poisoning wells so that the animals are dying by the dozens, hacking off the tusks at that site.

We have to stop the trade in ivory. The United States is the second largest destination. We have China that is finally stepping up and working with us. We should not make it harder for the United States to crack down on the ivory trade.

There is no reason for a civilized society to continue trading in things like ivory tusks and products. It enables this black market to continue. People will find their way into it, and we will continue to slaughter elephants every single day.

What we should be doing is not restricting what the Federal Government is doing. We should be tightening it further like we will do in the State of Oregon.

I find it a little frustrating that people are talking about protecting traditional ammunition and fishing lure. I mean, there are some people who might say, in Flint, Michigan, using lead in the pipes is a traditional way of plumbing, but we figured out that that traditional mechanism is actually poisoning people.

The CHAIR. The time of the gentleman has expired.

Mr. BEYER. Madam Chair, I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. There are, in fact, alternatives if what you want to do is kill animals with guns. We don't need to do lead-based ammunition, which ends up in the environment. It ends up not just in what you are killing. It doesn't go away. It persists and adds to lead pollution.

There is no reason that we can't make changes in these policies that we know are destructive, that we know there are viable alternatives to that actually protect the environment.

As people work through this legislation and hear from animal welfare groups, sports people, and environmentalists and as they look at the problems that are associated with it, it is not a consensus, bipartisan bill.

It is an approach that actually leads us in the wrong direction. It is not rational. It is not popular. It is not based in sound policy. I strongly urge its rejection.

Mr. WITTMAN. Madam Chair, I yield myself such time as I may consume.

I would like respond just briefly to the gentleman's remarks concerning ivory.

If you look at the current state of regulatory efforts by the U.S. Fish and Wildlife Service, for those nations that have sustainable elephant populations, it would actually make it much, much more difficult to manage them and it would actually encourage more poaching.

We want to make sure that we allow the legal trade of legally harvested elephants. In doing that, that makes sure that African nations can put in place sustainable programs for the harvesting of elephants, where there are overpopulations, to make sure that they have the wherewithal to put people on the ground to stop poaching.

This is a sustainable effort, I believe, that is critical, and these regulations will actually stop that.

Madam Chair, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Madam Chair, I rise today in support of H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015, or the SHARE Act.

This legislation is vital in ensuring that Federal agencies like the U.S. Forest Service and the Bureau of Land Management can no longer continue to prevent or deny full access to Federal lands for activities like hunting, fishing, and recreational shooting.

Access to public, Federal lands for these heritage activities is not only an important part of our shared American value, it is also a significant contributor to national, State, and local economies.

In 2011, in the State of Michigan alone, over 1.9 million hunters and anglers spent over \$4.8 billion in hunting and fishing. To put this in perspective, spending by sportsmen and -women in Michigan generates over \$576 million in

State and local taxes each year. That is enough to support the average salaries of over 10,000 police officers.

Madam Chair, when I was a kid, my family owned a small hotel and bar. I worked by making beds, by filling ice buckets, and by hauling beer in order to save for college. Our business depended on hunters in the fall and winter and on fishermen in the summer. Without those sportsmen, we would have had no small business.

There are small businesses like this all over northern Michigan and across America today. There are also grandparents, parents, and children all across the country who are excited for their next hunting and fishing adventures.

That is why we must make sure that we do everything possible to ensure access to public lands for hunting, fishing, and recreational shooting for all Americans, including for future generations to come.

Madam Chair, I urge my colleagues to support the SHARE Act.

Mr. BEYER. Madam Chair, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman from Virginia (Mr. BEYER) for his leadership and for the service that he has given to this Congress. We are so delighted to have him join us. I thank the manager as well, his colleague from Virginia (Mr. WITTMAN).

Madam Chair, in coming from Texas and knowing many of those who seek recreational hunting, fishing, and participation on lands, private and Federal, one wonders whether or not we could have found a way to deal with the concerns of our friends of whom I support: environmental groups and the Humane Society and just a litany of individuals from the Atlantis, the Alaska Wilderness League, the Alliance of the Wild Rockies, the Humane Society International, the Endangered Species Coalition, the Environmental Investigation Agency, the National Audubon Society, the Kentucky Heartwood, and just a whole array of individuals, the names of whom I will offer into the RECORD at another time.

□ 1700

This bill comes and specifically interferes with what I believe is the important protection, if you will, of items that impact our wilderness.

This bill undermines the NEPA Wilderness Act and the National Wildlife Refuge System Administration Act to solve a problem that does not exist. It blocks the administration's rule to restrict trade in African elephant ivory and protects African elephants from being slaughtered for their tusks. It adds indiscriminate and inhumane trapping practices to the legal definition of hunting and does not include a long-term reauthorization of the Land and Water Conservation Fund, a high priority for hunters and anglers.

My simple question is: Couldn't we have found some common ground and

not be supporting legislation that, for one, my amendment on polar bears will, in fact, impact; that the wealthy trophy hunters who shot bears had full knowledge of the pending rule? This is an issue that occurred when 41 polar bears were killed as the Fish and Wildlife Service finalized a rule listing them as threatened under the Endangered Species Act.

The polar bears are vulnerable. They are not yet under the Endangered Species Act, but they are vulnerable. So we have individuals who want to take advantage and seek to utilize the loophole. That is my opposition to this legislation, that it does not find a balance.

What it does do is it puts our animals in jeopardy, animals that make for the ecosystem in a positive way.

So I would ask my colleagues really to go back to the drawing board and come forward with a bill that actually protects animals, allows sport but does not undermine the whole ecosystem, undermine the structure of protecting animals, and certainly, in the memory of Cecil—although a lion—continue to kill our vulnerable species of polar bears just to have trophies.

I urge opposition to this bill.

Mr. Chair, I rise in opposition to H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015 (SHARE Act).

While several of the proposals are non-controversial, the bill includes provisions that would seriously undermine the Wilderness Act, the National Environmental Policy Act, and the Endangered Species Act, and fails to include important, bipartisan program reauthorizations sought by outdoor enthusiasts.

There are many for reasons for opposing this bill but I list just a few:

More than 75 percent of all federal lands are already open to recreational hunting, fishing and shooting, making the bulk of this legislation unnecessary.

Undermines NEPA, the Wilderness Act, and the National Wildlife Refuge System Administration Act to solve a problem that does not exist.

Blocks efforts to crack down on poachers and protect elephants from being slaughtered for their tusks.

Adds indiscriminate and inhumane trapping practices to the legal definition of hunting.

Does not include a long-term reauthorization of the Land and Water Conservation Fund, a high priority program for hunters and anglers.

Does not include important, bipartisan program reauthorizations that would provide critical funding for wetlands conservation and expanding hunting and fishing access; programs supported by hunters and anglers.

Exempts ammunition and sports fishing equipment from the Toxic Substances Control Act (TSCA) despite the fact that EPA has no plans to regulate this equipment under the Act.

Mr. Chair, H.R. 2406 simply patches together a slew of legislative proposals, allegedly to enhance access to federal lands for hunting, fishing and recreational shooting.

The bill is opposed by virtually every leading environmental organization and the President has announced that it will be vetoed if presented to him for signature.

I urge my colleagues to join me in voting against this unwise and unnecessary legislation.

Mr. WITTMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise today in support of H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act; specifically, title IV of the bill, which includes the Recreational Lands Self-Defense Act. This legislation is vital to preserving and expanding the Second Amendment rights of law-abiding citizens.

In 2010, legislation was enacted that allows campers, hikers, and sportsmen who are legally allowed to possess a firearm to protect themselves and their families on land operated by the National Park Service or the Fish and Wildlife Service. Unfortunately, this law left millions of acres overseen by the U.S. Army Corps of Engineers closed to those who want to legally arm and protect themselves.

Every year, millions of Americans camp, hunt, and hike on Federal lands. They are often in remote locations with no easy access to emergency services or law enforcement. These Americans deserve to have peace of mind and the ability to protect themselves while recreating.

The Army Corps of Engineers' interpretation of the law preempts State firearms laws; thus, preventing Americans from exercising their Second Amendment rights. Even if someone is permitted by the State to carry a firearm, they cannot do so while on the Corps' 11.7 million acres or camping at one of the Corps' 90,000 campsites.

Title IV will prevent the Corps from prohibiting law-abiding American citizens from carrying a firearm as long as they are not prohibited from owning a firearm and the possession of the firearm is in compliance with the State they are located in.

This title in the SHARE Act will provide uniformity and clarity for hunters, campers, and hikers who want to merely protect themselves, and it will preserve the right to bear arms on recreational Federal lands.

I want to thank Congressman WITTMAN for introducing this legislation and including the Recreational Lands Self-Defense Act in the underlying bill.

I urge my colleagues to support the SHARE Act.

Mr. BEYER. Mr. Chair, I inquire how much time the minority side has remaining.

The Acting CHAIR (Mr. WALKER). The gentleman from Virginia has 2½ minutes remaining.

Mr. BEYER. Mr. Chair, I reserve the balance of my time.

Mr. WITTMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Chairman, I rise today in support of H.R. 2406, the SHARE Act. Passage of this bill will increase opportunities and reduce regulatory burdens for all sportsmen and sportswomen.

I want to highlight two specific provisions in the SHARE Act that I sponsored. This legislation will authorize the Wildlife and Hunting Heritage Conservation Council, which will serve as an official advisory board to the Department of the Interior and the Department of Agriculture on policies that benefit recreational hunting and wildlife resources. Authorization of the council is vital to ensuring that hunters maintain an advisory role in future administrations. This legislation will provide levels of certainty and stability necessary to ensure the council's ability to engage in assisting the Federal Government in devising and implementing long-term solutions that are necessary to address policy issues important to sportsmen and sportswomen.

The legislation also directs the Secretary of the Interior and the Secretary of Agriculture to create a new permit that authorizes a crew of five or fewer people to film for commercial or similar purposes on Federal lands and waterways at an annual cost of \$200. Aside from this set fee, no additional fees may be added during their time filming and photographing.

We want to rectify disparity in application and approval regulations between smaller crews and their larger, well-funded counterparts while filming on public lands. The financial burden is often too great and unfairly limits their ability to access our national parks and waterways.

As the former co-chairman of the Congressional Sportsmen's Caucus and a cosponsor of the SHARE Act, I believe this legislation will serve to the betterment of current and future generations of hunters and outdoorsmen and -women.

I thank the gentleman from Virginia for his work on this legislation, and I urge the passage of the SHARE Act.

Mr. BEYER. I yield myself the balance of my time.

Mr. Chair, in closing, I would like to thank the co-chairs of the Congressional Sportsmen's Caucus, Mr. WITTMAN and Mr. WALZ, for putting this together.

I clearly resist the idea that our opposition comes from the radical left. The 37 million hunters and fishermen out there are not Democrats. They are not Republicans. They are both. They are not conservative or liberal. They represent all Americans.

Representative MCCLINTOCK and Chairman BISHOP talked about the 928,000 acres, BLM and Forest Service, which are closed now. I very much respect that that seems like a big number and that perhaps there should be movement on that.

I think the question is: Should those decisions be made by State and local land managers or moved to Washington, D.C., to the head of the Forest Service, to the head of BLM? I think it is weird that, in this body, we are talking about moving things to Washington for the decision to be made.

In fact, in the hearing we had on Chairman BISHOP's Land and Water Conservation Fund reauthorization, much of it was about moving the decisionmaking back to States and local governments. Perhaps there is a way to think about opening up these 928,000 acres with more input from State and local governments in the time to come.

On ivory and trafficking, Representative WITTMAN and I had a good conversation about how we really don't want it to address heirlooms that have been in the family for generations. That is not what the Obama rule is trying to do. We are looking at preventing trafficking.

Every 15 minutes every day, an elephant is killed. I would love to explore the economic argument that somehow this ivory rule will make African elephants more endangered. What we are trying to do is cut off demand.

Finally, Majority Whip Scalise talked about being hostile to hunting and fishing. I do think it is probably silly to think of the Army Corps of Engineers as a radical leftist organization. We want them to open the lands appropriately, but this is probably not the legislation to do it.

I think many of these provisions will likely be dead on arrival in the Senate. If it passes, as it is likely to do with the majority, I am looking forward to working with Representative WITTMAN, Representative WALZ, and others to get a good, bipartisan bill at the end of the day that we can all support for the hunters and fishermen of the United States.

I yield back the balance of my time.

Mr. WITTMAN. Mr. Chairman, I thank the gentleman from Virginia for his perspectives on this and for the good conversation we have had in trying to find common ground to make sure that we are, indeed, supporting the great outdoors and the sportsmen and -women that enjoy the great outdoors. I thank him for his efforts there and look forward to continuing to work with him.

I yield such time as he may consume to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I thank Chairman WITTMAN for his leadership on this issue. As a vice chair of the Congressional Sportsmen's Caucus, I commend the caucus co-chairs, Chairman WITTMAN and TIM WALZ, as well as my fellow vice chair, GENE GREEN, for the great work they have done to contribute to the SHARE Act's Sportsmen's package on the floor today.

The Congressional Sportsmen's Caucus is the largest bipartisan caucus in Congress. By offering commonsense policy solutions that expand the joys of hunting, angling, as well as shooting sports and, really, access to public lands and all the great outdoors, our goal is to be the voice of millions of American sportsmen and -women who treasure this unique feature of American heritage.

The SHARE Act is supported by the Nation's leading hunting and fishing conservation organizations, making it a bipartisan win for the sportsmen and -women of America. It includes the Recreational Fishing and Hunting Heritage and Opportunities Act; the Hunting, Fishing, and Recreational Shooting Protection Act; the Target Practice and Marksmanship Training Support Act; and the Hunter and Farmer Protection Act. These, along with many other hunting and fishing conservation provisions, will strengthen America's bond to the blessings given to our great country.

Most important to our role as leaders of the Congressional Sportsmen's Caucus is to promote policies that bring more potential hunters, anglers, and recreational shooters into the sportsmen's community. Sportsmen and -women are leading contributors to the conservation of the great American outdoors.

As a sidebar, I would just ask folks to really research the contribution that hunters make in the whole African elephant goal, because the lack of the hunter in that equation means there is more poaching; and I think, ultimately, that will be detrimental to the African elephant and detrimental to the goals of those who want to protect that.

In conclusion, I request your support for this bill to ensure that we can protect this sacred institution of American heritage.

Mr. WITTMAN. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentleman from South Carolina for his leadership as vice chairman of the Congressional Sportsmen's Caucus.

We have heard a lot of, I think, good efforts today in wanting to ensure that our sportsmen and our sportswomen have access to Federal properties, to make sure they can enjoy outdoor sports. I think that is absolutely critical. That is what this bill is about. It is about clarifying to make sure that it is the legislative body that does the directing, not the bureaucrats. I want to make sure there is a balance there because we hear each and every day from our constituents about what they feel needs to happen with their land.

We must remember this land belongs to the taxpayers, and we must find responsible ways to make sure that there is access to that land for everyone. I want to make sure that we do that. I believe that this bill achieves that.

I understand, too, that we want to make sure that their voices are heard. Many times from the side of these agencies, they will consider comments, but many times the comments aren't included. This ensures that Congress has a role in defining what those opportunities are. I want to make sure those voices are heard. I can't help but believe that everyone here is in favor of making sure that their voices are heard and that opportunities exist across all these Federal lands for our

outdoorsmen, our sportsmen and -women of this Nation.

I want to make sure, too, that we are clear that all of us are against stopping the illegal trafficking of ivory. All of us here want to make sure that stops. I think there are reasonable and thoughtful ways that do that that don't inhibit the sportsmen who want to go there to be part of the legal process to harvest an elephant in the areas where there is an overpopulation. The dollars there are used to support local populations in that area, villages.

None of that animal is wasted. Every bit of it is used. The fees that are collected for hunters are put into stopping the poaching effort there. I think those are sustainable models to make sure that elephant populations continue in those areas and that we, indeed, have the ability and resources in Africa to stop those efforts by poachers.

□ 1715

I think sustainable hunting is a way to do that. In any way impeding the flow of ivory back into the United States from legal hunting operations doesn't allow us to do that. Making sure, too, that it is simple and straightforward for owners of ivory to continue to own that, especially those pieces that are family heirlooms, and not have to go through a long, drawn-out bureaucratic process to prove that something is yours that has been passed down through family history where you may not have documentation to do that.

These efforts that U.S. Fish and Wildlife agencies are putting forward would make it in many instances very, very difficult for individuals and families to demonstrate that. Let's make this process easy and let's get at the issue, and that is the illegally harvested ivory that is coming out of Africa to the United States.

We talked, too, about access elements. We heard the number used that 99 percent of our ocean waters are open to fishing, to recreational fishing. But remember that the entire ocean is different in its habitats. So fish live in certain areas. I would argue that the 1 percent that is being closed off many times is the most productive area for fishermen. It is where the habitat rests. It is where the fish are.

So if you were to say, don't worry about it, you can hunt the entire Sahara Desert, that wouldn't mean much to sportsmen. The same that you are saying if you are allowed to fish these other areas that don't hold the habitat that allow fish to live in those areas also doesn't keep in mind making sure that recreational fishermen have access to the place where fish live. So I want to make sure that that is clear when we talk about these numbers, 99 percent versus the 1 percent.

Remember, this bill is not about what is not included. It is about really making those opportunities available for those men and women who hunt, fish, and use the outdoors. I am in full

support of LWCF. I am in full support of NAWCA. I do believe that we ought to reauthorize those pieces of legislation, and I do believe that there are mechanisms to do that. I believe that the vast majority of folks on our Committee on Natural Resources, as well as in Congress, want to see those things happening.

The difficulty always is in taking one bill and adding a bunch of different elements to it. I think those bills are important enough that they deserve their own level of debate and own level of attention about what we do in reauthorizing those bills.

I think folks outside the 90 square miles of Washington look at us and say, you know, why are you putting all these other elements into a bill rather than debating them individually?

I think we can put too much into a piece of legislation where it becomes confusing and it doesn't get after the true purpose behind the original bill. We tried to put together pieces that were similar in scope but didn't include other areas that really deserve their own level of debate.

So that is the reason that LWCF and NAWCA was left out of this, not by any intention to say we shouldn't address those, but by understanding that we have a responsibility to try to keep these packages of bills as simple and straightforward as we can.

Also, when we talk about lead, remember that the lead we talk about is in things like fishing sinkers. Remember, fishing sinkers are used in water. The gentlewoman from California talked about the issue with California condors. Well, California condors are not an aquatic bird, so I don't think we have to worry about them swimming in water and getting hold of these fishing sinkers.

The same way with bullets. I understand there are a few instances where they might have found a bullet associated with ingestion with a California condor, but the vast majority of shooting sports are put forth in legal ranges where the lead ends up in the ground. It ends up in the ground at a shooting range. Remember, that is the exact area where the lead came from. So returning it to the ground where we know eventually through the years it does indeed decay, it does indeed break down, those things are legal and I think environmentally responsible ways that lead is used in both hunting and fishing. Let's not stop those efforts. I want to make sure that those things happen.

If there are specific issues related to the California condor, I think we ought to address that, but these carte blanche one-size-fits-all efforts to say let's ban lead across the spectrum in the shooting sports, for hunting, and for fishing doesn't get at those root issues and it creates unnecessary burdens on folks who are using those in a legal way and in a way that doesn't affect our fish and wildlife populations. So I want to make sure that those things continue.

I do believe that there are many more areas of agreement than disagreement on this bill. I think that we have talked to folks on many aspects of this. It is different in its scope with the Senate bill, and I look forward to its successful passage out of this House and for our ability to bring it to a conference committee in the Senate and to work through those particular differences between the House and the Senate bill.

Mr. Chairman, I would urge all of my colleagues to support H.R. 2406, the SHARE Act.

Mr. Chairman, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chair, I support H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act or SHARE Act.

Recreational hunting and fishing are some of the oldest traditions in America. I went on my first hunting trip in the early 70's and have loved gaming ever since. The sport was a great way to bond with my father-in-law and a great tradition to pass on to my own son.

I am not alone in enjoying this great tradition. Sportsmen and women contribute billions of dollars to the U.S. economy, support thousands of jobs and enrich our culture. Texas is home to 2,713,000 hunters and anglers, making it the second biggest state for sportsmen and women in the nation.

H.R. 2406, the SHARE Act, is supported by more than 50 of the nation's leading conservation groups and includes provisions that will expand access for hunters and anglers and protect the environment through conservation efforts.

The SHARE Act will protect access to BLM and U.S. Forest Service land for hunting and fishing, reauthorize the Federal Land Transaction Facilitation Act and allows fish and wildlife agencies added flexibility to construct public shooting ranges.

Ensuring future generations of Americans have access to these great traditions must be our priority going forward.

Mr. MARCHANT. Mr. Chair, I rise in support of H.R. 2406, the SHARE Act. This legislation would protect 2nd Amendment rights and prevent unnecessary federal regulations from limiting access to outdoor sporting activities.

Activities like hunting, fishing, and recreational shooting contribute billions of dollars to our economy. But, it's impossible to put a dollar value on what they mean to millions of American families.

For many Texans—myself included—hunting and fishing are more than simple hobbies. They are family traditions that get passed down through generations. These traditions bring us together and teach invaluable lessons about gun safety and environmental responsibility.

Passing the SHARE Act will protect 2nd Amendment rights and help ensure that our sporting traditions can continue for generations to come.

I call on all my colleagues to join me in supporting this important legislation.

The Acting CHAIR. All time for general debate has expired.

Mr. WITTMAN. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr.

HILL) having assumed the chair, Mr. WALKER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, had come to no resolution thereon.

#### HONORING THE FALLEN SOLDIERS OF THE 14TH QUARTERMASTER DETACHMENT DURING OPERATION DESERT STORM

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, I rise today in remembrance of the soldiers of the 14th Quartermaster Detachment of the United States Army Reserve who were killed or wounded in their barracks by an Iraqi Scud missile attack in Dhahran, Saudi Arabia, during Operation Desert Shield and Operation Desert Storm in 1991 on this date.

The soldiers of the Pennsylvania Army Reserve served with bravery and honor in Operation Desert Shield and Operation Desert Storm, and they will forever make western Pennsylvania proud.

Sixty-nine soldiers of the 14th Quartermaster Detachment stationed in Greensburg, Pennsylvania, were deployed to Saudi Arabia during this campaign. These brave men and women were supporting operations to liberate the people of Kuwait. Even though 13 of these soldiers gave their lives 25 years ago today—another 43 were wounded—the impact of their sacrifice and their loss has not faded and will not be forgotten.

We owe these soldiers and their families a debt of gratitude that can never be repaid, and we sympathize with the pain endured by those they left behind. May God bless them.

#### HONORING WADE HENDERSON

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, we are nearing the end of Black History Month. We had a special program yesterday recognizing foot soldiers of the civil rights movement. It reminded me of a man who is a foot soldier up here in Washington, Wade Henderson.

Wade Henderson is the president and CEO of the Leadership Conference on Civil and Human Rights and the Leadership Conference Education Fund. He announced he is going to be retiring after 20 years as the head of that organization at the end of this year.

Wade Henderson has worked with Republicans and Democrats both to bring about change in our country. He was largely responsible for work on the reauthorization of the Voting Rights Act



when it passed and had been working on trying to get it renewed in this Congress. He worked in a major way on the Fair Sentencing Act that took away the disparity in crack and cocaine sentences that was wrongful.

Before he came to his position at the Leadership Conference, he was active in the NAACP here in Washington, where he was the bureau director, and he worked on other issues with the ACLU and other groups on civil and human rights.

When Wade Henderson came to the Capitol, he was a voice of conscience. He and Hilary Shelton, together with the NAACP, are two of the most conscientious men I know. They have served this country well. I will miss him in his retirement. I appreciate the remaining time he has. He is a foot soldier. I thank him for his service.

#### CONGRATULATIONS TO THE LIGO TEAM

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize the efforts behind an incredible breakthrough in humanity's understanding of the universe: the first detection ever of the existence of gravitational waves.

Gravitational waves are invisible ripples in the fabric of space-time. Albert Einstein theorized their existence 100 years ago as part of his theory of general relativity.

After more than a decade of work by researchers at two identical observatories—one in Livingston, Louisiana, and another in Hanford, Washington, located in my congressional district—Einstein's theory of the existence of gravitational waves has direct evidence as scientific fact.

On February 11, the Laser Interferometer Gravitational-Wave Observatory, or LIGO, Scientific Collaboration officially confirmed that the world's most sensitive instruments at these observatories had detected gravitational waves for the first time. The gravitational wave detected by LIGO's team was the result of the collision of two black holes 1.3 billion years ago.

Congratulations to my constituents and the entire LIGO team on their historic discovery, which will continue to add to the scientific understanding of the universe for generations.

#### THE FEDERAL GOVERNMENT'S BACKDOOR KEY TO THE IPHONE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Benjamin Franklin said: "Those who would give up essential liberty, to purchase a little temporary safety, deserve neither liberty nor safety."

A Federal judge now has ordered that Apple take an unprecedented step de-

veloping a backdoor key for an iPhone. The software that the government is demanding does not exist. It would have to be created from scratch.

The government wants the golden key to crack this phone. Such a key could be used to crack all other phones in the future. Giving a master key for the government to access any phone of any citizen at any time without their knowledge violates the right of privacy. Americans' constitutional right of privacy is under attack by the spying eyes of a powerful government.

My legislation, H.R. 2233, End Warrantless Surveillance of Americans Act, specifically prohibits the government from either mandating or requesting that a backdoor key be installed in the private phones of citizens.

Mr. Speaker, privacy must not be sacrificed on the altar of temporary safety and false security.

And that is just the way it is.

#### IN MEMORY OF OFFICER JASON MOSZER

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Mr. Speaker, I rise to pay tribute to a hero, Fargo police officer Jason Moszer.

While in the Army National Guard, he was deployed as a combat medic to Bosnia and Iraq. Officer Moszer joined the Fargo Police Department in 2009. In 2012, he and a fellow officer were awarded the department's Silver Star Medal for rescuing two children from an apartment fire.

On the night of February 10, Officer Moszer responded to a domestic disturbance, putting himself in danger to help others, something he had done many times. On this night, however, gunshots were fired and a bullet struck Officer Moszer, causing a fatal wound.

He died the next afternoon, but not before one last heroic act. It is reported at least five people, ages 26 to 61, are being helped thanks to his donated organs.

I thank our U.S. Capitol Police officers for their service to us every day. I especially thank Officer Andy Maybo, who traveled to Fargo to represent the Capitol Police and the National Memorial Committee, which he chairs. Andy lent his expertise to the Fargo PD and planners as they prepared for a fellow officer's funeral, an event that had not occurred in Fargo in over 130 years.

God bless all the men and women who wear the badge, and God bless the memory of Officer Jason Moszer.

#### IN MEMORY OF REPRESENTATIVE BOB BRYANT

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember a true

civil servant and my friend, Representative Bob Bryant, who died this morning.

Over his lifetime, Representative Bryant's professional career included a variety of services in different areas. He began his career serving 2 years in South Vietnam and 10 years as an Army recruiter before retiring in 1982. He then worked 5 years as general manager for a local radio station, spent time as office manager to a local law firm, and worked 13 years for the city of Savannah, until he retired in 2001. After 40 years of service to his community, he was not done. He was elected to the Georgia House of Representatives in 2004 and was currently serving his 12th year.

I will always remember Representative Bryant, as he and I worked together to pass our first pieces of legislation in the Georgia House over a decade ago. I can truly say that he was beloved by his constituents and colleagues alike. I am deeply saddened by the loss of my friend and colleague.

I wish to extend my condolences to his family. He will be missed.

□ 1730

#### CARE FOR THE MENTALLY ILL

The SPEAKER pro tempore (Mr. WALKER). Under the Speaker's announced policy of January 6, 2015, the gentleman from Pennsylvania (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY of Pennsylvania. Mr. Speaker, let me start off with some sobering news. I call it the body count.

Last year, 2015, in the United States, there were 41,000 suicide deaths in this country. There were 45,000 deaths from drug overdoses. Many of those folks suffered from depression. There were an estimated 1,200 homicides by people who are seriously mentally ill. About half of all deadly police encounters occurred with someone who is mentally ill.

There is an unknown number of mentally ill who died 25 years sooner because they tend to die of chronic illnesses. There is about one homeless person per day in Los Angeles who dies. We know about 200,000 homeless people in this country are mentally ill.

It is a sad case in any numbers. But if you add those numbers up, even the most conservative version is that there were some 85,000 deaths last year related to mental illness—and it is probably much higher—and more have died from mental illness-related problems than the total United States combat



deaths of the entire Korean War and Vietnam Wars combined.

That is sobering, but it is worse. It is worse because we could prevent a large number of these mental illness problems. We could save many of those with mental illness from their early demise. We could save their families from suffering. But, unfortunately, the Federal Government is the problem.

Let me lay out this evening in this Special Order some of the particular problems that we have.

In particular, for those who are low income, Medicaid itself is one of the biggest discriminators against people with mental illness getting treatment.

First, consider this. Fifteen percent of Medicaid recipients have serious mental illness. That is far more than the general population. Serious mental illness is things like schizophrenia, bipolar illness, schizoaffective disorder, and severe depression.

Thirty-one percent of those on SSI have serious mental illness. Twenty-six percent of those with Social Security disability have serious mental illness.

In the general population, by the way, there is only about 1 percent with schizophrenia. About 2.6 of the general population have been diagnosed as bipolar.

So look at how much higher those numbers are among the poor. That makes sense. Because mentally ill people are three times more likely to have low income as a result of their mental illness. Low-income individuals are three times more likely to have mental illness, many as a result of being poor.

Poverty and homelessness are both associated with serious mental illness. Both are associated with inadequate primary care and preventative care. But here are some ways that Medicaid makes it harder for people with mental illness to get care.

First of all, there is a rule called the same-day doctor rule. If you take someone to the doctor and the internist or family physician is very concerned that person has a mental illness, they are told they have to come back another day before they can see the psychiatrist.

That is a serious problem. Because when you have the warm handoff in the doctor's office, you have 95 percent that will return versus less than half if they have to come back another day. And treatment is the key to getting better.

There is a 16-bed rule from the Institute of Mental Diseases which says that, if the hospital has more than 16 beds and you are between ages 22 and 64, we are not paying for it.

The problem with that is that serious mental illness tends to emerge in 50 percent of the cases by age 14 and in 75 percent of the cases by age 24.

So at the very time when problems are emerging, the very time when someone may have their first serious crisis that may require some inpatient care, they are told there will be no room.

Only 45 percent of Medicaid recipients with schizophrenia actually get evidence-based care. Only 35 percent of those with a bipolar diagnosis who are on Medicaid get evidence-based care.

Listen to this statistic. Ninety-two percent of low-income children and foster children are prescribed drugs off label—those are drugs that are not approved by FDA—according to an HHS Inspector General's report, and many of those prescriptions, according to the report, are done without clinical justification.

The homeless with schizophrenia have a rate of hospitalization for complications of hypertension almost twice as high as others. Fifty percent of individuals with schizophrenia are noncompliant with treatment regimens during their illness and don't adhere to medications. They need assistance in doing so.

Also, half of those with serious mental illness have at least two chronic physical health conditions, such as chronic pulmonary disease, infectious disease, cardiovascular disease, gastrointestinal problems, and these people are generally in poorer health.

So what happens is that those with serious mental illness and a number of other clinical aspects have compromised physical symptoms and we don't have a place to treat them.

We used to have 550,000 psychiatric hospital beds in the 1950s. Now we have less than 40,000. During that same time, the population of the United States climbed from 150 million to over 300 million today.

So where do people who have an acute mental health crisis go? Sadly, whether it is acute or chronic, about 200,000 of our homeless are mentally ill. Twenty-eight percent of them get some of their food out of a garbage can.

We also have a large portion of those with mental illness filling our prisons. When we closed down those psychiatric hospitals, some got better. But, basically, we traded the hospital bed for the prison cot, a blanket over a subway grate, an emergency room or a gurney or a slab in some morgue.

The incarceration rate among the seriously mentally ill is 16 percent of the population. Some 60 percent of the incarcerated may have some level of mental illness.

And then what happens in the area of violence? Well, in general, people with mental illness are no more violent than the rest of the population. But when untreated serious mental illness occurs, they are 16 times more likely to be perpetrators of violence.

As I said before, there are over 1,000 homicides a year, and we have no idea how many are victims of crime. Estimates are it is 6 to 10 times greater.

What happens if a person with mental illness is not treated? The longer a person waits for treatment for a psychotic episode, the longer it takes a person's illness to come into remission. That means it costs more.

For bipolar illness, the sooner a person starts lithium, the greater their

improvement. It means it would cost less if we treated them. Delusions, hallucinations, and other severe symptoms increase the longer treatment is withheld.

As far as the costs go, the cost of schizophrenia alone far exceeds that of coronary artery disease. The mortality rates of schizophrenia are far more than breast cancer.

The costs of serious mental illness in this country are about \$55 billion in direct costs and \$70 billion in indirect costs, but there is also the added cost of emergency room care, added cost of primary care, and the cost of treating their other medical problems.

The deinstitutionalization move in this country is associated with much higher suicide rates, such that, while our country has made great strides in reducing mortality rates over the last couple of decades in heart disease, auto accidents, HIV/AIDS, stroke, and cancer, we have seen huge increases in suicide rates and drug overdose deaths.

As a Nation, we should be ashamed of that. As a Congress, we should be ashamed if we do nothing about this. That requires a great deal of change on our part. That means we are going to have to do something to help people with mental illness get treatment.

Half are simply not compliant and don't adhere to their medication. They get worse. Their medical problems get worse. The Medicaid bills get higher. Half of those with serious mental illness, as I said, have two or more chronic physical health conditions, and it gets worse for them.

There are several things we must do to treat this. Tonight we are going to hear from a number of Members of Congress. First, my friend JIM McDERMOTT of the State of Washington will speak. We will talk about a number of the issues before us and what we must do in Congress.

I yield to the gentleman from Washington (Mr. McDERMOTT).

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. McDERMOTT. I want to first begin by acknowledging Congressman MURPHY. He has taken on an extremely difficult issue. It takes courage to bring that kind of issue to the floor of the House.

More than half a million Americans with serious mental illness continue to fall through the cracks of a broken and outdated system.

As Congress begins the consideration of how to address this national crisis, it is important that we take some stock of history.

Prior to the 1960s, commitment was based on a medical model where two physicians made a determination that a patient needed treatment. I did that when I came out of the military in 1970 in Seattle.

When the first attempt at comprehensive mental health reform began in the 1960s in California, it signaled a shift from the medical model to the legal model.

Ronald Reagan had been elected Governor and was interested in reducing the population in the mental hospitals in California. The result was the Lanterman-Petris-Short Act in the California State Assembly.

This act set a new standard, making it increasingly difficult to obtain commitment to a hospital. That standard was that a patient must be suicidal, homicidal, or gravely disabled. Gravely disabled means that they can't take care of their basic needs.

I moved to California in 1968 shortly after that bill was passed to serve as the chief psychiatrist at the Long Beach Naval Station, where I saw servicemen and -women and their families. For the 2 years I was in California, I had almost no success in getting civil commitment for people that I felt were suicidal.

I was overruled by State employees charged with the duty of evaluating the need for civil commitment. The real pressure was so great on them and the court system that it was nearly impossible to get anyone into treatment in a secure facility. The hospitals in the State were quickly emptied, and literally thousands of mentally disabled people went out on the streets.

At the same time, in Congress, the mental health center movement was taking hold. The Community Mental Health Act was signed into law in 1963. The bill promised adequate funding would go to mental health centers to effectively treat most of these patients on an outpatient basis.

But things didn't go as planned. The political reality resulted in insufficient money going to the mental health system. This had a devastating effect and led to more patients wandering the streets in need of treatment.

When I finished my time in the military and went back to Washington State, I went to the legislature and saw a similar movement was occurring in my State. Remembering what had happened in California, I argued against changing that commitment standard, but the majority ruled and a similar law was passed.

As a result, we closed one of the three mental hospitals in the State of Washington—Northern State Hospital—with the assurance that the money we saved from closing that hospital would go to the mental health centers. We saved \$11 million. \$3 million went to the mental health centers, and \$7 million or \$8 million went elsewhere.

As a result, the streets of the State of Washington began to see all kinds of homeless people laying on the street and so forth. As a result, some of the most vulnerable patients were left without a support structure.

Many became homeless or were imprisoned. In the end, we simply replaced hospital beds with prison beds, as Congressman MURPHY has already pointed out. Right now there are 10 times more mentally ill patients in jails and prison than in State hospitals.

Turn the clock forward to 1979. I was a jail psychiatrist in King County, which, in effect, was the second largest mental hospital in the State. I had over 200 patients who belonged in treatment, not in jail.

This had a tremendous cost on our society. All across this country—and Washington is no different than anywhere else you go in this country—it has a human cost as well as a financial cost.

The average cost per year for a prisoner without mental illness in a jail is \$22,000 a year. For a mentally ill patient who is a prisoner, the cost is more than double that, at \$50,000 a year. It costs 20 times more to imprison a mentally ill patient than to provide that same patient with treatment.

These statistics are deplorable, and the process continues to remain in place across this country. There are some places that have done things on their own and made efforts to improve how they care for behavioral health patients.

In Dixon, Illinois, recently two young people died. It is a town of 20,000 people. The sheriff said: I am going to do what they are doing in Gloucester, Massachusetts, in the ANGEL program.

He made the statement to the community: Anybody who is addicted to heroin or opioids, come in. We won't arrest you. We won't prosecute. We will treat you. Twenty seven people showed up in that jail.

He said, amazingly, another thing happened. The jail was empty because crime went down dramatically. Most of those people were out committing crimes to buy drugs.

□ 1745

Now, this program encouraged those suffering from addiction to go to the police, where they would be directed to drug rehabilitation and not prosecuted. Since then, many individuals have had effective treatment.

We need to treat addiction as a disease state and not as a criminal offense or some moral failure. And the same is true with mental illness. A comprehensive mental health reform bill would go a long way to that effort.

Now, out on the floor here, again and again, we pause for a moment of silence. Some awful thing has happened someplace in this country, in my city, in 25 cities across this country, and we stand here for 1 minute and commemorate the tragedy with a moment of silence. After that pause, we do nothing.

Virtually all mentally ill patients are more likely to be victims of violent crimes rather than perpetrators, and we must recognize there are tragic situations that can be prevented with treatment and early intervention.

I understand—I have been involved in this my whole professional life—that the most contentious issue is whether or not the society has a right to detain a citizen and treat them in the most medically effective way.

Many fear a return to the indeterminate confinement of people like in the 1960s. I saw that in Chicago when I was in medical school. None of us want to see that happen—not me, most of all. But certainly no one on this floor wants that to happen in this society.

The balance between personal liberty and the needs of a society is a challenging one to strike; but difficult as it may be, we have to rise to that challenge. That is why I commend Congressman MURPHY for bringing it out here and beginning the debate that ought to go on in this society.

If a mentally ill person is a danger to themselves or others, there needs to be an ability to commit that person long enough for the treatment to take effect. We need to listen to those who know the patient best. In many cases, it is not their doctor.

We often hear stories from families who have tried desperately to get treatment for their loved ones, or from police officers who have tried desperately to get treatment for people. We, as doctors, can't possibly make the best assessment without hearing from family, friends, and those who live with patients and play an integral role in their lives.

Giving patients and families the help they need will dramatically improve and even save lives. That is why we need to work together, on a bipartisan basis, on a bill that Mr. MURPHY has brought out.

Is it a perfect bill? No, but it is a bill from which we can work and reach an agreement to try and help the needs of our society. We have had enough moments of silence on this floor. It is time to act.

Mr. MURPHY of Pennsylvania. I thank Dr. McDERMOTT. He has been, really, a champion of mental health issues in his career and on this bill as well.

I want to point out, the bill he is referring to is our Helping Families in Mental Health Crisis Act, H.R. 2646. It is bipartisan. It has 183 cosponsors today—50 Democrats, the rest Republicans—because we all recognize that when you are dealing with someone with mental illness, in the 40 years that I have practiced as a psychologist, I have never once asked any of my patients what party they are.

We know that mental illness affects people regardless of gender or race or age, certainly not by party.

We also know, however, that getting care is tougher. Studies have said that if you are Black, your chances of getting treatment for your mental illness are even tougher. In fact, in Los Angeles County, 9.6 percent of the population is Black, and yet they constitute 31 percent of the L.A. County jail prisoners, and they have a lower likelihood of getting psychiatric medication.

Although most crimes committed by people with mental illness tend to be nonviolent, after they have repetitive incarcerations, they tend to serve four times longer sentences when they are

mentally ill than someone who is not. So that is what we mean when we say we have filled our prisons and we have increased our costs with this.

I yield to my friend, the gentleman from Arkansas (Mr. HILL), to also talk about the things we need to do and our problems with mental illness.

Mr. HILL. Mr. Speaker, I thank Congressman MURPHY for this time and for bringing this issue to the floor of the House. I thank my friend, Mr. McDERMOTT, from Washington, for his views.

Congressman MURPHY's bill opens a bipartisan conversation on how best to address the challenges that have been facing mental health services and our citizens in this country for decades.

President John Kennedy implemented a groundbreaking, community-based treatment model for individuals with mental health illnesses. However, in the decades following his service, the Federal Government has missed opportunity after opportunity to effectively address the needs of Americans with mental illness. Over the years, we have seen our prisons, our hospitals, and our homeless shelters bear the brunt of providing services for our Nation's mentally ill.

One-third of the homeless are mentally ill, some 200,000. Sixteen percent of incarcerated Americans, some 300,000, have mental illness. And mental disorders are some of the most costly health conditions we face in our country.

As noted, many of our incidents of mass violence have mental illness as a factor. Now most States still rely on the standard of imminent danger for commitment of mentally ill individuals. This is, in part, a result of past Supreme Court decisions, most importantly, in 1975, *O'Connor v. Donaldson*, which has been used consciously many times to oppose involuntary commitment and argue that committing individuals who are not imminently dangerous to themselves or others is unconstitutional.

Congressman MURPHY's bill, the Helping Families in Mental Health Crisis Act, holds our Federal agencies accountable and requires that our States follow evidence-based practices that have proven to reduce hospitalization, homelessness, and violence.

This bill also provides alternatives to institutionalization for Americans with severe mental illness; and for those that need to be institutionalized, it requires States to include need-for-treatment commitment standards in their civil commitment laws in order to remain eligible for certain Federal block grant programs. This will help clarify commitment standards for our States and will ensure that we no longer wait until it is too late to potentially commit dangerous individuals and those who need help.

It is important that we seize this opportunity for future generations of Americans, and I commend my colleague for his leadership on this important issue.

Mr. MURPHY of Pennsylvania. I thank the gentleman so much for his kindness and his support for this legislation.

As has been said, whenever one of these tragic killings occur or when some tragedy occurs, we have our moment of silence, and then we do nothing.

We have a chance to do something. America demands it. I know that the overwhelming majority of Americans expect us to do something more than talk about it, particularly when so many family members are struggling.

As we closed many of these institutions, what we ended up with is families themselves being the ones that are being told, here's your son, your daughter, your brother, your sister, your mother or father; go take care of them. By the way, we are not going to give you much information on them. We are not going to provide you much support, unless that person, indeed, is a danger to themselves or others.

I have heard from many family members that they have called the police when they have had troubles at home, struggling.

By the way, with mental illness, when someone's out of control, we call the police. With other illnesses, you call paramedics because we recognize that that is a disease that needs help, like when someone is having a heart attack or something else. But with mental illness, out of our fear, out of our stigma, or other things, we call the police, and the police are oftentimes not fully trained to do this. Then we tell the parents, well, good luck, and take care of them. We are not going to give you much information.

That whole grand experiment of closing down the hospitals, which those asylums needed to be closed down, but the stopping institutional care and stopping all treatment, that whole process has actually shown more failures than successes, especially when we have not provided community-based treatment.

We provide treatment for so many other diseases, but when it comes to mental illness, we fall far short. And we somehow have this idea, this misguided and self-centered and projected belief of our own, that people are at all times fully capable of deciding their own fate and direction, regardless of their deficits and diseases, and that the right to self-decay and self-destruction overrides the right to be healthy.

But remember what I said earlier about people with severe mental illness and having so many other chronic illnesses and somehow going into the slow-motion death spiral, we walk right by and pretend that that is okay. It is not, and it shouldn't be. Somehow, in so doing, we comfortably abdicate our responsibility to action and live under this perverse redefinition that the most compassionate compassion is to do nothing at all.

It further bolsters those most evil of prejudices we have that the person

with disabilities deserves no more than what they are. We will leave it up to them. Under that approach, there are no dreams; there are no aspirations; there is no goal to be better that can even exist. Indeed, to help a person heal is some head-on collision with this bigoted belief we have that the severely mentally ill have no right to be better than they are, and we have no obligation to help them.

This is the corrupt evil of this hands-off approach and, in some cases, the antitreatment model and the things that we have lulled ourselves into, this somnolence where we become comfortable with crossing the street or stepping over a homeless person, when we fear those, when we hear the title, the term, "mental illness." It is this perversion of thought embedded in the glorification that to live a life of deterioration and paranoia and filth and squalor and emotional torment trumps a healed brain and the true chance to choose a better life.

What a sad state of affairs our Nation has to become easy with that, and what a sad statement it is about this Congress for taking so long to take action on this. I don't know how we look ourselves in the mirror and continue to delay this.

A number of my colleagues also feel very strongly about this issue of mental health. I yield now to the gentleman from Louisiana (Mr. ABRAHAM) to take a few minutes to talk about his perspectives of what we need to do with mental health.

Mr. ABRAHAM. Mr. Speaker, I want to first say thank you for Dr. Murphy's persistence and determination for bringing this legislation to this point. It has been an act of love on his part, and I greatly appreciate it.

Dr. Murphy, also, great thanks for your continued work with our men and women in uniform in the mental health field as you continue to do today. It is much appreciated.

As a family doctor in rural Louisiana, I have witnessed firsthand the hardships mental illness can put on families, individuals, and friends. I am sure every American has a story of how someone that they know and love has been affected by mental illness. It is not a partisan issue, as has been said here just recently.

Thankfully, the study and treatment of mental health has improved dramatically in the last 50 years, leading to better outcomes and better lives. But, as our knowledge of mental health improves, we must routinely ensure that our government is keeping up.

It has been over 15 years since Congress last passed comprehensive mental health reform. During that time, the size and authority of our Federal mental health bureaucracy has grown to the point where the amount of coordination required to function effectively is too immense.

How much has it grown?

A recent report from the independent Government Accountability Office

found that there are now a total of 112 Federal programs intended to address mental illness—112. As you can imagine, the report also found that there is serious fragmentation and lack of coordination among these programs.

As history continues to prove time and time again, when the size of bureaucracy increases, the effectiveness decreases; but when mental health bureaucracy fails, it fails individuals, it fails families, and it fails communities.

Unfortunately, the President's solution this year is to throw more money at the problem and increase the bureaucracy. His 2017 budget proposes to add \$500 million in mandatory spending to the same Federal programs that have been proven to be inefficient, uncoordinated, and inadequate. This is a shortsighted response to a long-term challenge. We must do more than throw money at a problem and hope for a solution.

Congressman MURPHY's Helping Families in Mental Health Crisis Act has taken inventory of these Federal programs. It refocuses the programs that work and removes the ones that don't, greatly increasing program coordination across the Federal Government. This is only one of the many reasons why I have cosponsored this comprehensive bill, and I welcome rigorous debate on this floor on the rest of the bill's merits.

□ 1800

Finally, I thank again Dr. Murphy for his dedication and leadership on this mental health issue. The time, effort, and attention to detail that he has put into this comprehensive reform bill is what the American public should expect from elected officials. I strongly encourage and support his efforts.

Mr. MURPHY of Pennsylvania. Thank you, Doctor. I appreciate your comments and your support for this bill and, of course, your practice in the field and understanding our needs.

A couple of points you made there I want to elaborate on. You said that there are 112 Federal programs identified scattered across 8 departments that deal with mental health. There are 26 programs for the homeless.

But many of these programs have not met since 2009, and according to the General Accounting Office report, it is uncoordinated. A patchwork quilt would be a compliment because a patchwork quilt is at least stitched together and our mental health approach is not.

Part of this bill is to create an office for the Assistant Secretary of Mental Health and Substance Abuse Disorders. That doctor would then be charged with meeting regularly with these programs and agencies to get them to work together.

Where there is unnecessary redundancy, get them to merge. Where there is exemplary programs, let's expand it. But, above all, get treatment back to the States and back to the communities where they can do the most good

with evidence-based programs that work.

I will elaborate more on these in a minute, but first I want to call upon my friend, CHRIS GIBSON, from New York for a few minutes.

Mr. GIBSON. Mr. Speaker, I want to thank my friend and colleague, Dr. Murphy, for organizing this Special Order, but also for his strong leadership in an area that is so important to all Americans. I also want to thank him for his service to our Nation.

Indeed, I rise to give a voice for so many of my constituents who are calling on this House to strengthen Federal mental health policies.

I think this is important not only in terms of these policy changes that we are talking about this evening, but, quite candidly, also about the mindset. I think we need to think about this issue area differently.

Misconceptions out there, I hear this often from my constituents, how we need to change the way that we think. Too often we think of mental health as a permanent state, that individuals are either well or not well, when, in fact, what we have learned is that, over the course of our life, mental health is really a spectra. Sometimes we are flourishing, and sometimes we are challenged.

For me, this is certainly a personal issue. My closest adviser is my beautiful wife, Mary Jo, who is a licensed clinical social worker. I get the benefit of her counsel on a regular basis.

I also look to Dr. Murphy as somebody who has spent over 40 years in this field. I also want to thank GRACE NAPOLITANO, who is also a leader of the Mental Health Caucus. I have worked together with her as we push forward these very important initiatives.

I want to say that I do think we have made some progress. In a moment here, I will talk about some of the details of that. I think that we are making some progress particularly with neuroses, anxiety, and to some degree, depression.

But, candidly, we are not making progress at all with regard to policy when it comes to very severe mental health issues. In part, Dr. McDERMOTT addressed this earlier.

We know that, in the 1960s and the 1970s, there were a series of exposes, very severe issues that were going on in our psychiatric hospitals. Consequent to that we went through a process of deinstitutionalization.

But we have learned that, when we did this and put nothing in behind it—and I certainly can understand a lot of abuses that were going on and understood the need to take action to roll back and to really make sure that we don't have those abuses.

But what we have learned is that it was a mistake not to put policy in behind that. We see this all the time. It has been mentioned already this evening, the issues with homelessness, the issues with mass violence.

Inasmuch as we know most with very severe mental illness are not violent,

we also know that, when we have these very tragic events, that, at times, these are correlated with severe mental illness without Federal support, without any support. So that is part of the calling for this evening.

The American people want to know: Is our Congress listening? We are listening. That is part of the reason why Doc has organized this tonight to express this to the American people, that we know this is a very important priority.

I want to provide some overview of some of the actions we have taken. First of all, last year I was at the White House when the President of the United States signed into law the Clay Hunt suicide awareness and prevention bill.

Corporal Clay Hunt was a great American hero. He served our country very honorably and courageously in Iraq and Afghanistan and lost his life to mental health disease. His family has taken up the standard and are working really hard to move us forward on that.

This bill that the President signed into law last year—a very bipartisan bill—is going to help strengthen mental health support for our servicemen and -women and our veterans.

Likewise, the James Zadroga 9/11 healthcare bill for our first responders also includes a provision in there that strengthens mental health. So we are supporting our veterans, and we are supporting our first responders. These are important bills that have been enacted into law.

We have also passed in this House an important bill called the Female Veteran Suicide Prevention Act, and we are calling on the Senate to pick this up so that we can also send that to the President.

While we have made progress in some of these areas, we have much more to do in so many other areas. I want to talk about the Mental Health in Schools Act.

I think this is a very important and certainly a challenging period in the lives of Americans in the teenage years and so many emotions all going through. We need to provide support.

What we have found in some pilot programs in New York is, when we have social workers in schools, this absolutely stems incidences of drug abuse and crime because we are dealing with this in the area where we really need that support: mental health.

We have a bill that will address this that will scale that, and I hope that we can get more support here in the House.

In addition to our teenagers, I also have a bill that helps with our senior citizens. It is a very simple bill. It basically just adjusts Medicare so that, for seniors looking for counseling, they will get that support.

Finally, of course, the bill that we are all rallying around tonight, H.R. 2646, the Helping Families in Mental Health Crisis Act—I think we have

heard about some of the important dimensions of this bill.

I just want to highlight the fact that I think that this bill is going to help us with the very severely mentally ill, particularly those suffering from psychosis.

We have heard tonight how we have a shortage of inpatient care. We have got to address this because, if we don't address it, we end up seeing it in the penal system. That is absolutely the wrong approach to this, and it is costing the taxpayers as well.

So, in addition to that, we see more coordination among agencies and suicide awareness and prevention programs strengthened.

So, Mr. Speaker, I will close with this. This is a very important issue, and the American people are counting on us to take action. I think we have got a series of bills that we can rally around—bipartisan bills—that will truly make a positive difference.

So let me end where I began and just thank Dr. MURPHY for his great leadership and call upon my colleagues to support his bill and these other bills as we move forward.

Mr. MURPHY of Pennsylvania. I thank my friend from New York in his ongoing support for these issues dealing with mental illness.

Now I would like to call upon my friend from the State of Oregon, EARL BLUMENAUER, who has been a great champion on these issues as well. Many times we have conversed about this. I appreciate my friend's guidance and support on this issue.

I know your heart is in this and you are dedicated to it.

Mr. Speaker, I yield to Mr. BLUMENAUER.

Mr. BLUMENAUER. I appreciate your courtesy in permitting me to join you this evening, and I appreciate the conversation that we have had.

Dr. McDERMOTT's experience in the 1960s and 1970s really touched me. I started in my political career when I was much smarter than I am now and was part of the deinstitutionalization movement in my State of Oregon, where it was quite clear that we could provide better quality services that were less intrusive and more cost-effective through a program of deinstitutionalization. It made perfect sense on paper.

What happened—and, luckily, karma intervened. I was a local official when it hit full force. The commitments that had been made to help with medication, to help with housing, to help with counseling, and to be able to provide the support services weren't ironclad guarantees.

It was easy for subsequent legislators to erode them, and people were out on their own. This was a process that took place across the country, and we have seen the impact, as Dr. McDERMOTT mentioned.

I really appreciate you sinking your teeth in here to bring this forward. There are some elements that are

clearly controversial. I have found over the course of 2 years that we have been talking about this a willingness to engage in conversation and to be open to refinement because we are all seeking the same objectives.

One of the things that has just become clearer and clearer to me is that there needs to be stronger provisions to deal with assisted outpatient treatment programs. We used to call it involuntary commitment.

It strikes me that we would not have a cancer patient just sort of cast loose on their own to sort of fend for themselves.

But we have some of the most vulnerable members of society, in many cases, who are not capable of fully comprehending the situation they are in.

In fact, in some cases, part of the illness they suffer from is that they don't think that they are sick, that we make it much more difficult than it should be, in some cases, impossible, for people who care about them most to be able to participate in treatment.

I appreciate your willingness to work with us to strike the balance.

I see this as part of a much larger movement. In my community, we are finally opening a facility this fall to get people with mental problems out of emergency rooms, where they actually can't be treated. They can just be warehoused at, actually, great expense and risk to the employees in the emergency room.

I am convinced that, if we are able to work together to tease out the expenses—Dr. McDERMOTT talked about how incarcerating people and treating them behind bars, where so many people with mental illness end up, is 20 times more expensive than treatment.

Being able to hit that sweet spot, to be able to balance treatment, to be able to have intervention with appropriate safeguards, to empower the families, and to be able to help people on a path to treatment like we would do with any other illness is very, very important.

I would hope that we would be able to continue this conversation. I hope that there will be other Special Orders where we have a chance to involve people who want to explore and maybe refine some of these elements, to be able to answer questions about the necessary protections and have the give-and-take that sometimes is hard to do when we are in sort of a formalized setting.

I have appreciated your willingness to tackle tough issues, to be open to suggestions, to be willing to engage others, but, most importantly, that this Congress not go home without having legislation to meet our responsibilities to refine and focus our mental health programs to get more out of the resources that we have, to provide new tools for families, and I think build on a foundation.

I think the bill that you have introduced is a great start. I am encouraged

that you have sparked a very robust conversation and that there are other bills that are moving forward. But I hope we can build on this to be able to get across the finish line.

I look forward to continuing our conversation, whether it is here tonight, in another evening, or with our colleagues, to make sure that we are doing what we should do to correct a situation that is a national tragedy, that is unnecessary, that is wasteful and inhumane.

Mr. MURPHY of Pennsylvania. I thank the gentleman for his comments.

I will add to that in the sense that about 10 people per hour die related to mental illness, and it is probably much more than we know of.

I thank you for your good counsel, too. I may have been doing this 40 years, but I have a lot to learn in the field of mental health.

I have learned a great deal from colleagues and from people like Paul Gionfriddo of Mental Health America or the leaders of the American Psychological Association, the American Psychiatric Association, and from Fuller Torrey. There is a whole host of names in this country who continue to write about and talk about this and show us research on this.

Osteopaths, physical therapists—you name the field—and social workers are out there talking about the problems that we have with this. You are right. It is the most compassionate thing to make some changes on this.

I know one of my colleagues who is also in the Energy and Commerce Committee with me, SUSAN BROOKS, would like to comment on this as well and talk about our needs now, what we need to do in mental health.

Mrs. BROOKS of Indiana. I want to thank the gentleman from Pennsylvania, Dr. MURPHY, for introducing this important legislation and arranging for this Special Order today.

As I am sure it has already been stated, one in five Americans struggle with mental illness. One in five. This is a critical situation in the country, as we have just heard, a national tragedy.

That is why we must address it with a comprehensive, community-based, mental health care proposal like the one we are talking about here today, and we must do it in a bipartisan way.

So I am very pleased that we have colleagues from the other side of the aisle here as well this evening talking about it.

We have all seen the tragic headlines about people who lose their battle with mental illness and their families who are often powerless to help them or prevent them from harming themselves or others.

According to researchers, about half of the people with schizophrenia and 40 percent of people with bipolar disorder don't believe they are mentally ill. These individuals have the right to refuse therapy and medication, and under current law, their families are only able to intervene when their condition becomes suicidal or extremely dangerous.

So in practical reality, my young adult children in their 20s, if they struggle with serious mental illness, I could be completely shut out from their diagnosis and treatment, unable to help them before their condition became completely debilitating.

□ 1815

As a mother, as a parent, this is heartbreaking. It is further evidence that something has to change. We have all talked to too many families, whether it is at ceremonies remembering their lives when they have taken their lives or when they have overdosed. That is too late. This bill is important for all parents in America, the loved ones, the family members who desperately want to help but are unable to do so.

But it is also important to every American regardless of whether or not they have a personal connection to mental illness. It is critically important when we look at our criminal justice system.

Sixty years ago—and I think we talked about this a little bit earlier—there was one psychiatric bed for every 300 Americans. Fast-forward 50 years later, that number has shrunk to one psychiatric bed for every 3,000 Americans. Today, it is even less. The people, as you have mentioned, who work in our emergency rooms and in our criminal justice system are paying the price. Those people who work there are paying the price.

The National Alliance on Mental Illness estimates that between 25 and 40 percent of people with mental illness will be jailed or incarcerated at some time in their lives. I am a former criminal defense attorney and a prosecutor. I can tell you not with respect to treatment, but dealing with them, either if they had been arrested or if we needed to prosecute them, I have seen the statistics—and these are real people.

Our courts, jails, and prisons are full of people with mental illness. Most of them are not getting the treatment they need. In our State prisons and local jails, more than half of the women and three-quarters of the men have at least one mental health diagnosis. In Federal prisons, about half of all inmates, regardless of gender, struggle with some form of mental illness.

We must reform the way we care for and treat people with mental illness. We can't rely on the prisons and jails to serve as the de facto mental health institutions that they have become, and we must make families the partner to ensure that patients with serious and debilitating illness can maintain a comprehensive regimen of care.

I applaud the work of my colleague, Dr. MURPHY, the only psychologist serving in Congress, for his leadership and for crafting the Helping Families in Mental Health Crisis Act, H.R. 2646. I am not going to go through all of the proposals because you have so many

people. I am so pleased that you have people. I am sure that you have talked about all that is in the bill.

But I must say, I urge my colleagues to join us in supporting this proposal. It does focus on the programs that will help families and patients. It will improve that connectivity between primary care doctors, mental health professionals, and the patients and families. It will help with the existing shortage of in-patient psychiatric beds. It will bring accountability to programs like SAMHSA, to make sure that their resources are being used in the most effective and consistent way for patients.

I just want to applaud Dr. MURPHY and all of those who care deeply about mental illness, because I don't want to go to more of these ceremonies of family members who are remembering their family members who have died from suicide or who have died from an overdose. Thank you for your work.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I thank my friend, Mrs. BROOKS.

I might say that we have all heard those stories from families. I am sure there are families watching tonight, Mr. Speaker, who will consider contacting a Member of Congress and share that story as well. Nothing is more painful than to hear the story of a parent like you described, a nightmare of a parent to be told that their child has a problem and there is nothing the government will let them do about it. How difficult that must be.

While waiting for my other colleague, DOUG LAMALFA, of California, to come forward, I want to mention a couple of things on the bill that have been referenced.

As I said before, the bill has an assistant secretary for substance abuse and mental health disorders that would organize the programs. It would drive evidence-based care for programs such as response after an initial schizophrenic episode, assisted outpatient treatment, and assertive community treatment, or programs like the National Child Traumatic Stress Network, which is an exceptional program. It is a government-funded program that does exceptionally good, high-quality work.

We know that we have to build a mental health workforce to take care of our extreme doctor shortage. There simply aren't enough psychiatrists, psychologists, or clinical social workers. When we have 9,000 child and adolescent psychiatrists, we need 30,000. We have too few clinical psychologists and others who want to work with those with serious mental illness.

As I said earlier, we have to fix the shortage of mental health beds, places that treat people who are in crisis, instead of putting them in jail, sending them back on the street, or strapping them to a gurney in an emergency room, giving them a five-point tie-down and some chemical sedative. We have to eliminate that same-day doctor

barrier which says you can't see two doctors in the same day. We have to empower parents to be part of the treatment plan, because right now they are still harnessed and kept away from them.

I yield to the gentleman from California (Mr. LAMALFA) for some of his comments.

Mr. LAMALFA. Mr. Speaker, I thank Dr. MURPHY. I really appreciate him holding this Special Order, his dedication, and his persistence in moving this issue along. It is very important because mental health is an issue that is getting more and more rampant in our communities.

We really have some challenges in northern California with it and the lack of available treatment. I just had a doctor visit my office yesterday from Siskiyou County who, had she had this ability, had that county had these resources available in the way that your bill prescribes, tragedy would have been prevented with an attempted suicide and a suicide that actually happened in that same family. It is really inexcusable after a point that we are not able to channel the resources and have the effectiveness of the program that you are seeking.

Previously, in Nevada County, California, we witnessed a devastating shooting at a nearby health clinic that took the lives of three individuals back in 2001. The shooter, who suffered from mental illness, had repeatedly refused treatment, despite his family's best efforts to get him help. This is where the system, again, is broken.

Outdated laws leave individuals suffering with severe mental illness to fend for themselves, only to have intervention step in when it is too late. Does it really take an attempted suicide, does it really take a drug overdose, to get attention, instead, when people that have this and know about these triggers would be able to get them the help they need with the right implementation? We need to break down those barriers and provide that pathway.

The Assisted Outreach Treatment program, for example, helps patients and families experiencing severe mental health issues to get the treatment they need before a crisis occurs. Patients are able to live at home and meet their therapist on a regular basis while having access to lifesaving medications. Success rates are testimony to the effectiveness of the program in terms of compassion and effectiveness. Again, in one of my counties, Nevada County, where this program is in effect, hospitalization was reduced 46 percent, incarceration reduced 65 percent, homelessness reduced 61 percent, and emergency contacts and emergency needs reduced 44 percent.

Of the patients who entered the program overall, 90 percent said it made them more likely to keep their appointments and take their medication, and 81 percent said it helped them get well and stay well. This is what it is all



about: to give them hope and to put them in the mainstream of society where they can function well and be successful. Forty-nine percent fewer abused alcohol, 48 percent fewer abused drugs.

Yet, instead of investing in programs such as this, we continue to spend billions on duplicative behavioral wellness programs that allow far too many Americans to fall through the cracks.

We have got to do more to care for our neighbors in this country. I rise today in support, and I am proud to be a cosponsor of the gentleman's legislation. We cannot stand by anymore and allow the status quo because, as we know too well, the cost of inaction is too high for those who suffer from it and for the families and the communities. This is going to be very effective in helping to channel that and having a success we can all be proud of.

Thank you for the time and for your persistence.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I thank the gentleman for his support.

While waiting for my friend JOHN KATKO of New York to come forward, I want to reflect on how long it has taken us to do this.

What we used to do up through the 1800s is just throw people in jail. Then along came an activist by the name of Dorothea Dix, who saw the abysmal conditions in our prisons for the mentally ill, saw them chained to walls in squalor and filth, beaten and abused. She spoke up to have institutions built that would be better respites for them. Indeed, that took place for awhile, but then they became overcrowded, and that was part of what we shut down.

As my other colleague talked about, Mr. BLUMENAUER mentioned that then we thought, well, we have other outpatient care for them. That promise never came through.

This legislation would, as I mentioned before, allow us to have more providers in psychology, psychiatry, social work. It would also merge the mental health and substance abuse dollars to allow States to use both. We have got to be treating mental health and substance abuse dollars, not to cut either one, but to make sure that a person with substance abuse disorder and mental illness can be treated.

It would bring accountability of spending Federal funds for grants. Our bill would establish a national mental health policy lab within SAMHSA, Substance Abuse and Mental Health Services Administration, and set scientific objective outcome measures.

It would also have an interagency serious mental illness coordinating committee, which could coordinate the Federal spending in mental health and make suggestions to the Assistant Secretary's office and to Congress and bring together government offices with experts in the field to develop reforms in the mental health system.

We want to have alternatives to institutionalization and jail diversion.

Assisted outpatient treatment is one version; assertive community treatment is another one. We are making sure that we provide the wraparound services for the mentally ill person instead of dumping them into jails and leaving them there only to get worse. And we want to advance early intervention and prevention programs, where this bill establishes most of its funding there to make sure we have those programs.

I yield to the gentleman from New York (Mr. KATKO), someone whom I have also gotten to know pretty well over this bill, with his own passion for this issue as well.

Mr. KATKO. Mr. Speaker, I thank Dr. MURPHY.

I rise today to talk about one of the most serious challenges facing our country, and that is the mental health issue. It is a problem that affects the rich and the poor, old and young, employed and unemployed. It can strike anyone.

For far too long, the issue of mental health has stayed in the shadows in our country. If we want to directly face the challenges that the American people face in their everyday lives, we cannot allow the silence to continue. That is why I so enthusiastically support your bill, Doctor.

A short time ago, I met with some of my constituents in upstate New York that were part of a drug treatment, education training, and rehabilitation program. One of the individuals told me of his personal battle with mental health.

About 10 years ago, his sister died of cancer, and his marriage broke down soon thereafter. He couldn't sleep because of the trauma and stress, which led to anxiety and depression, and he didn't know what to do. As he was doing yard work one day, someone he knew walked past and said he could provide something to help him sleep. It was heroin. He tried it. Pretty soon he was hooked, and his life was ravaged for years and years. In fact, it took 7 years of him being pushed to the brink by drugs for him to seek help—7 years, 7 lost years.

Six years later, he has found paid work, probably for the first time since his addiction. He told me that if we lived in a culture where the trauma of grief and the need to get help for mental health problems were more clearly recognized, things could have been much different for him. Just think how much better it would have been for him and think how much better it would have been for others in the country.

The reality is that, for many people today, mental health is a huge issue. With the awareness of the mental health issue increasing, I fervently hope that the acceptance and understanding of the individual suffering from it will as well.

We cannot prevent all mental health issues. There are no cures for all conditions. But we can help the culture change in our country. This bill goes a

long way towards doing that, and I commend you for that, Doctor.

We can insist that everyone counts and that everyone matters and that no one dealing with any form of illness should ever feel ashamed. That is how you bring real change to America.

Before I close, I want to note that the second leading cause of death among individuals 24 years or younger in this country, as the doctor well knows, is suicide. The 10th leading cause of death in this country for all adults is suicide. It is an epidemic. It is not treated as such in this country, and it is high time that we do so.

For every suicide in this country, there are 12 suicide attempts. Think of the costs to our society. Think of the costs and the burdens on families, the burdens on the health industry who have to deal with this. We must do a better job, and we have to do a better job.

That is why I am proud in my district that soon after I was elected last year, we formed a mental health task force. We are enthusiastic about a lot of things and a lot of changes it is going to bring about, but there is nothing we are more enthused about than this bill.

Doctor, I commend you for this. I hope that we get this passed in the House, and I hope we get this bill moving once and for all.

Again, I commend you, Congressman MURPHY, for your steadfastness on this issue.

Mr. MURPHY of Pennsylvania. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 2 minutes remaining.

Mr. MURPHY of Pennsylvania. I yield to the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, I am here to support Dr. MURPHY's tremendous work in the area of mental illness. It shows that one person really can make a difference. Dr. MURPHY is leading the charge for our country to change the way that we deal with our mental health programs.

I have got direct experience with this. I have a high school friend who suffered from schizophrenia and eventually lost her family as it is related to that. I have had two high school friends who suffered from severe depression and ended up suicidal and subsequently did take their own lives.

This is critical legislation. With people like Dr. MURPHY working hard to get this done, we really can make a difference on behalf of people with severe mental illness in our country.

I commend you, Dr. MURPHY, for the strong work. Continue to push. I am hopeful we can get this through the House of Representatives this year.

Mr. MURPHY of Pennsylvania. Mr. Speaker, let me close with these statements.

With 60 million Americans out there with some form of mental illness this

year and 10 million or so with severe mental illness, they all have families. I hope those families wake up and speak up. I hope they contact their Member of Congress.

I know that mental illness can be treated, but it cannot be treated if we ignore it and it gets worse. I don't want more tragedies here. I hate to wish any of these tragedies on my colleagues in Congress, but I know it will happen. We will be here again for moments of silence. We will have more Members that face this suffering in their own families and in their communities, and we should not allow that.

I hope that soon we can call forth H.R. 2646, the Helping Families in Mental Health Crisis Act, because to delay it is to cause more harm, to deny it is to cause more death. Let's finally do something to help turn this problem around with mental health in America.

Mr. Speaker, I yield back the balance of my time.

□ 1830

#### WOMEN'S RIGHTS ARE HUMAN RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, next Tuesday the Supreme Court will take up *Whole Woman's Health v. Hellerstedt*, which is a case that challenges Texas' outright offensive effort to strip women of their right to choose.

Last night the Fifth Circuit Court of Appeals allowed a similar law to move forward in Louisiana, all but guaranteeing the closure of three of four abortion clinics in that State unless the Supreme Court intervenes there as well.

The men who have passed these laws—to be very clear, the Texas State Legislature is 80 percent male, and Louisiana has just made it up from dead last this year at 85 percent—claimed that it would increase the medical accountability and safety of facilities that provide abortion.

That is the new message, the new veil, that covers these laws with the air of legitimacy: We want to make your abortion safer. So every doctor needs to have admitting privileges at a local hospital and every clinic needs to function like an emergency center.

It sounds logical until you hear what the folks behind these laws have to say after the laws have passed.

In Texas, then-Governor Rick Perry said: "The ideal world is one without abortion. Until then, we will continue to pass laws to ensure that they are as rare as possible."

One of the authors of the bill said that she was especially proud that "Texas always takes the lead in trying to turn back what started with *Roe v. Wade*."

The first problem here is the same one we have dealt with over and over and over and over again, because *Roe v. Wade* isn't something you turn back. It wasn't an executive order. It wasn't even a law passed by Congress.

It was a legal challenge 40 years ago that required the Supreme Court to consider whether or not women had the right to make decisions about their bodies. They decided and set a precedent that every woman in this Nation had the constitutional right to an abortion.

What is more, the Court made it clear that States cannot use laws to create an undue burden for women who are seeking to exercise that right. The Court affirmed that decision once more in 1992.

Women in Texas now have firsthand experience of what happens when States ignore the Supreme Court. From what I can see, there is no way that the Texas law can be considered anything other than an undue burden, which brings us to the second problem: There is absolutely no logical, medical reason to suddenly require these clinics to meet the standards of a hospital.

These laws are opposed by a host of leading medical groups, including the American Medical Association and the American College of Obstetricians and Gynecologists, professionals who know better than anyone what kinds of skills and resources should be necessary for an abortion, which is one of the safest medical procedures out there.

I find it incredibly hard to believe that whole organizations of physicians would oppose any of these laws if they really did make clinics safer, Mr. Speaker, but I digress.

In Texas, the full implementation of the bill that is being challenged next week would force more than 75 percent of abortion clinics in that State to close.

In fact, with the limited implementation they have had to date, the number of clinics has been cut in half. If it is allowed to go into effect, only 10 clinics will remain to serve the 5.4 million Texas women of reproductive age.

What is even worse is that, while these laws are being masqueraded as efforts to make abortions safer, they are forcing more women down the dangerous path of attempting to end their pregnancies on their own.

A study by the Texas Policy Evaluation Project found that women who report barriers to abortion are more likely to self-induce an abortion, putting their lives at risk in the process. This sounds like 1955, not 2016.

Mr. Speaker, these laws are an absolute farce, and it is time to stop the

sham. Women deserve to make the choices that work for them. If that means having an abortion, they should be able to do it safely, without traveling hundreds of miles or without waiting weeks to be seen.

My colleagues and I are here on the floor tonight because we stand with the women in Texas, with the women in Louisiana, and with the women across this country, women who want to make their own decisions about when, where, and how to make decisions that will change their lives, women whose voices are seldom represented in the legislative bodies, which are filled with men who are ready to take away their rights.

It is now my pleasure to yield to the illustrious Member from the State of Texas, someone who has been a constant fighter for everyone's rights, including women's rights, Congresswoman JACKSON LEE.

Ms. JACKSON LEE. I thank the distinguished gentlewoman from New Jersey, and I thank her for her leadership. As well, I thank my colleagues who are here on the floor of the House who have joined us.

Mr. Speaker, let me associate myself with the comments by the gentlewoman from New Jersey as they relate to Louisiana.

Let me be clear. As I stand here as a constituent of the State of Texas, as a Representative of the State of Texas, and as a woman who lives in Texas, that Texas State Law HB2 has led to the closure of more than 20 abortion facilities in the State, taking the total number of providers down from 40 to 19, its true purpose being to take away women's rights to make their own healthcare decisions.

It could not be more blatant, again, to take away every woman's right to choose. No one stands on this floor tonight to promote and coddle abortion, but we do stand on the floor to protect a woman's right to choose her health and to protect her sacred right of making such decisions with her God, her family, and her physician.

How do HB2 and other bills have the right to interfere with that?

Let me also cite for you that a U.N. working group concluded that women in the United States inexplicably lag behind international human rights.

Pointing to data and research on public and political representation, economic and social rights, and health and safety protections, experts in the U.N. working group boldly acknowledged that there is a myth that women in the United States already enjoy all of the expected standards of rights and protections afforded under America.

Isn't that shameful? Under America, we are still denied our rights.

The reality is women in the United States are experiencing continued discrimination and daunting disparities that prevent the true ability for them to fully participate as equal members of society.

We stand here this evening to acknowledge one striking issue that will

be argued at the Supreme Court next week, and that is this case—HB2—that has shut down clinics and has denied to women that any other access be open to them with this particular legislation. So we are advocating, as it goes to the Supreme Court, that this is an issue of human rights equals women's rights.

In America, we face a real problem of hypocrisy. Isn't it interesting that we say that we believe in the rights of families and in the sacredness of one's religion and in one's choice between one's family, doctor, and God, yet, Danielle Deaver was denied an abortion even as the uterus crushed the fetus.

This family wanted children. This family wanted to be able to have this child. Unfortunately, due to medical reasons, this young lady needed to have this baby taken. She was 22 weeks pregnant.

The real crime is that this was not allowed to take place in a legal manner because just 1 month earlier Nebraska had enacted the Nation's first fetal pain legislation that banned abortions after 20 weeks. It is not one that she wanted. It is not one that she desired.

It was because of health care and need and the fact that a tragedy had happened to her and her family; yet, she was denied. Women's rights equal human rights.

With respect to the Texas case, the Supreme Court is scheduled next Tuesday to hear the case of *Whole Woman's Health v. Hellerstedt*, which will challenge the Texas law that has stripped thousands of women of access to their constitutional right.

*Whole Woman's Health* is the most consequential reproductive case in the last two decades that challenges the longstanding precedent of upholding a woman's constitutional right to access to safe and legal abortion services.

It is not a supporting of abortion, but a supporting of the right to choose. It is protective of women's health, of the life of the mother, and of the fact that you engage with your family, with your God, and with your physician.

Ever since the landmark *Roe v. Wade* decision, which was affirmed again in 1992 in *Planned Parenthood v. Casey*, the U.S. Supreme Court has made clear that women have a constitutional right to safe, legal abortion care and that States do not have a right to unduly interfere.

The *Casey* decision explained these matters involving the most intimate and personal choices a person may make in a lifetime, choices that are central to personal dignity and autonomy and that are central to the liberty protected by the 14th Amendment.

The so-called experts who testified in favor of HB2 have been discredited by multiple Federal courts and have been exposed for submitting testimony written by an anti-abortion activist with no medical training.

Texas' HB2 has led to the closure of more than 20 abortion facilities in the State, taking the total number of providers down from 40 to 19.

Mr. Speaker, as I close, let me give an additional personal anecdote that has taken place in the State of Texas. That is, of course, the masquerading of going into the Planned Parenthood offices that have provided these clinics and that have provided health care to college students and to those in rural communities where there are no doctors, OB/GYNs, or facilities to handle the medical needs of these women.

Remember what I said. Women's rights are human rights, and human rights are women's rights, so said by then-First Lady Hillary Rodham Clinton. It is true today.

As I have shown in documents, the United Nations working group has challenged whether or not we are providing women the same rights in America as men. That is a daunting question and an unfortunate answer because the U.N. working group has said no.

In the backdrop of this great discussion and of the Texas HB2, we had the circumstances of people falsifying who they were, stealing the ID of this person's high school classmates and imitating that he was looking for fetuses for research.

Interestingly enough, all of them were calling for the indictment of the Planned Parenthood personnel. Yet, an unbiased grand jury in Texas did not indict those innocent persons who were having a discussion about what was legal, but they indicted those who falsified their documents and tried to mislead people.

Again, this case will be argued in the backdrop of so many who are trying to undermine women's rights. I will continue to work with my colleagues to find ways to address the illogical, unfair, and unjust disparity by reviewing and responding to unwarranted restrictions that result in the disparate access to these constitutionally protected rights.

One day I hope that we will learn and have as our constitutional premise that the Constitution works and that women's rights are human rights.

Mr. Speaker, I thank the Gentle lady for yielding, and I commend the Progressive Caucus for standing firm in defense of our hard-fought women's rights, which in truth, are constitutionally protected American rights.

We face a real problem in America with hypocrisy.

As a country founded on principles of liberty, justice and equality, and a global leader in formulating international human rights standards, the United States fails to meet these basic standards for women who are denied equal access to legal rights and protections.

The United Nations Working Group on Discrimination against Women in Law and Practice (U.N. Working Group) recently issued a sobering statement and assessment detailing a picture of women's missing rights in America.

Upon visiting several states throughout the country, including my home state of Texas, the U.N. Working Group concluded that women in the United States inexplicably lag behind international human rights standards.

Pointing to data and research on public and political representation, economic and social rights, and health and safety protections, experts in the U.N. Working Group boldly acknowledged that there is a myth that women in the United States already enjoy all of the expected standards of rights and protections afforded under America.

The reality is women in the United States are experiencing continued discrimination and daunting disparities that prevent the true ability for them to fully participate as equal members of society.

One of the most alarming deficiencies for women in America is the inability to access basic health care and the imposition of devastating barriers to reproductive health and rights.

Too many women are suffering dire and deadly consequences.

Between 1990 and 2013, the maternal mortality rate for women in the U.S. has increased by 136%.

Black women are nearly 4 times more likely to die in childbirth, and states with high poverty rates have a 77% higher maternal mortality rate.

Our global experts and allies acknowledge that even though women's reproductive rights in America are constitutionally protected, access to reproductive health services are severely abridged by states imposition of sweeping barriers and restrictions.

For instance, in many states, women must undergo unjustified and invasive medical procedures; endure groundless waiting periods; be subjected to harassment, violence or other threatening conditions that remain constant throughout all reproductive health care clinics; and forced to forgo treatment or engage in lengthy and costly travel due to closure of clinics faced with burdensome licensing conditions.

These restrictions disproportionately discriminate against poor women.

The United States can and should do better!

It is unacceptable that women in America are facing a health care crisis so dire that the global community is denouncing it as a human rights violation.

Sadly, the direction States are taking will only further dismantle women's access to affordable and trustworthy reproductive healthcare.

While clinics are shutting down at drastic rates throughout the country, devastating restrictions and barriers imposed throughout Texas strike at the core of this abomination.

A Texas statute known as HB2 (House Bill 2), was enacted several years ago under false claims to promote women's health, when in fact it only set in motion dangerous restrictions on women's access to reproductive health care.

In addition to constant attacks on funding for reproductive health care clinics, abortion providers in Texas were forced to undergo impossible million dollar renovations and upgrades.

Denying hundreds of thousands of women health care services in Texas, nearly half of all reproductive health care clinics were forced to shut down, and now only 10 remain in the second largest state in the country.

Taking an important step toward restoring the constitutional rights of millions of women, the Supreme Court recently granted certiorari of *Whole Woman's Health v. Cole* to decide the fate of these remaining clinics and the

lives of women in Texas, and throughout the nation.

I am proud to say that I, and a number of my colleagues, signed on to a number of amicus briefs submitted to the Supreme Court, detailing the hardship and injustice *Whole Woman's Health v. Cole* presents.

While we await the decision of the Supreme Court, in *Whole Woman's Health v. Cole*, we can only hope that the court will help turn the tide of attacks and diminution on women's rights.

No woman in America should be denied the dignity of being able to make choices about her body and healthcare.

Access to safe, legal and unhindered healthcare must be realized by all women.

These simple facts can no longer be denied, and hypocrisy can no longer be tolerated.

A woman's right to choose to have an abortion is a constitutionally protected fundamental right.

More than 40 years ago in the landmark decision in *Roe v. Wade*, 410 U.S. 113, (1973), the U.S. Supreme Court ruled 7–2 that the right to privacy under the Due Process Clause of the 14th Amendment extends to a woman's decision to have an abortion.

More recently, in *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), the Supreme Court upheld *Roe v. Wade* and further explained that states could not enact medically unnecessary regulations meant to create substantial obstacles for women seeking abortion services.

Yet, fairness and access to exercise constitutionally protected fundamental rights is trampled on and denied to millions of women.

We cannot ignore the hypocrisy of imbalanced protection and access to fundamentally protected rights for women in America when it is easier to purchase and lawfully possess a firearm—even for a person on the terrorist watch list—than it is for a woman to exercise her constitutional right to terminate a pregnancy.

Mr. Speaker, this is neither fair nor right and it should not be rewarded.

As our nation continues to push back against horrific acts of violence at the hands of dangerous and irresponsible gun owners and gun dealers, and our nation's number one provider of women's healthcare continues to experience violent and devastating attacks on its services and facilities, it is time we find common ground as we look to resolve these polarizing issues that have all too often collided.

A woman's right to choose to have an abortion and an individual's right to possess a firearm are both constitutionally protected fundamental rights.

I will be working with my colleagues to find ways to address this illogical, unfair and unjust disparity by reviewing and responding to unwarranted restrictions that result in disparate access to these constitutionally protected rights.

Namely, if a woman is required to wait several days, undergo a physical examination, receive counseling and education about alternative options before making the decision to terminate a pregnancy, an individual purchasing a deadly weapon should be required to jump through the same restrictive hoops and apparent safety measures.

I hope one day we can come to an agreement in America that it should not be harder for a woman to exercise her fundamental right

to choose than it is for a person on the terrorist watch list to lawfully purchase and possess firearms.

At a minimum, I urge my colleagues to take a hard look at our constitutional protections and founding principles to resolve the growing crisis and unacceptable conditions of inferiority in America.

Mrs. WATSON COLEMAN. I thank the Congresswoman.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Speaker, let me thank Congresswoman WATSON COLEMAN and my pro-choice colleagues for inviting me to participate in this very timely and important conversation.

As we await to hear the Supreme Court's oral arguments next week in the case of *Whole Woman's Health*, we must reflect on not only the serious implications of this particular case, but on the attacks on choice that have happened across the country this past year.

The case against *Whole Woman's Health* threatens to take the number of clinics in Texas down from 19 to just 10 for the 5.4 million women of reproductive age in Texas.

It will also set a legal precedent for years to come—perhaps decades—and it will shape the continued debate on a woman's right to choose.

□ 1845

Clearly, this unacceptable assault on women's health places an undue burden on the women of Texas when accessing abortion and family planning services.

I was proud to sign onto the Amicus brief with 162 congressional colleagues in support of *Whole Woman's Health*. This case, in particular, is a high profile and extreme example of the attacks that are becoming all too common across the United States.

While abortion still remains legal in the years since *Roe v. Wade*, opponents of choice have attempted with varying degrees of success to chip away at a woman's right to choose, this despite the fact that abortions are at their lowest rates since *Roe*.

Last year, we saw ideological attacks against *Planned Parenthood* from anti-choice activists attempting to mire the organization in scandal and force its closing. Those attacks stemmed from the illegally obtained and questionably edited so-called sting videos filmed by these same anti-choice activists.

Unsurprisingly, *Planned Parenthood* has been cleared of any wrongdoing in every State that has conducted an investigation. And to top it off, a grand jury in Missouri has indicted those responsible for filming the videos. It goes to show this campaign against *Planned Parenthood* has been nothing less than a fraud.

While I fundamentally support a woman's right to choose, it is important to point out that the clinics forced to close in Texas and across the U.S. serve women in ways far beyond providing safe abortions. In many cases, especially for low income and

minority communities, these clinics serve as a primary healthcare provider. The services they provide include birth control, STD testing, cervical screenings, mammograms, counseling, and health education.

It is crucial that we understand reproductive rights and choice is not a women's issue. It is a civil rights issue, and it is an American issue.

In the City of Chicago, which I represent, women have widespread access to reproductive health services. But women in neighboring States like Indiana are often forced to cross State lines to find a clinic where she can have a safe abortion. This reality is unacceptable. Civil rights should not be dependent upon your ZIP Code.

The decision in *Whole Woman's Health* will ultimately hold national implications. As a man, I am proud to stand up for choice. As a male Member of Congress, I take my responsibility to protect choice for women very seriously.

Statistics show women's economic output is dramatically impacted for the better when they determine the timing and spacing of their pregnancies. When she is able to plan pregnancy, a woman is more likely to advance in education and the workforce. Conversely, unplanned pregnancies too often force women to leave school and to delay or abandon career ambitions outright in order to care for children before they are ready and with limited support and resources.

In order for our society to ever truly be equal, women must have control of their bodies and determine with their partner if and when they want to have children. Here in Congress, most of us were afforded the right to plan our families. Should we deny this right to the constituents we serve?

The future of millions of young women depend on the decision to be handed down in cases like *Whole Woman's Health*, and it is my sincere hope that the Court remains consistent in recognizing a woman's right to privacy and protects her right to make her own choices about her health.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield to the gentleman from Washington (Ms. DELBENE), who is a member of the select panel that will undoubtedly be examining some of these issues.

Ms. DELBENE. Mr. Speaker, I thank the gentleman from New Jersey for yielding.

Mr. Speaker, 43 years ago, the Supreme Court ruled that women have a constitutional right to decide whether and when to have a child. Americans overwhelmingly think that was the right decision, and I agree.

But according to Bloomberg, at no time since 1973 has a woman's access to reproductive health care been more dependent on her income or ZIP Code. Politicians across the country are passing dangerous laws to block women from exercising their constitutionally protected right to choose, and their efforts are working.

That is why the case before the Supreme Court is so important. As the Justices weigh the Whole Woman's Health case, I hope they recognize that these shameful attacks undermine *Roe v. Wade*, put women's health at risk, and must be struck down. A woman's right to make her own healthcare decisions means nothing without the ability to exercise that right.

If the Court upholds these harmful laws, it could pave the way for similar restrictions at the Federal level, and Republicans are already trying. We cannot let that happen.

Women deserve better. They deserve the freedom to make their own healthcare choices.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman from New Jersey for leading this Special Order hour on this very important issue.

As my colleagues have mentioned, the Supreme Court is scheduled to hear *Whole Woman's Health v. Hellerstedt* next Tuesday, challenging HB2, a Texas law that has already led to the closing of more than 20 abortion providers in the State.

Now, this is just the most recent example of the attack which is underway all across this country on women's health, not just in the State of Texas, but in many other places around our country. As was just mentioned, politicians are passing laws and enacting regulations to deny women full reproductive health care.

In fact, just last Sunday, Ohio Governor John Kasich signed a law defunding Planned Parenthood. During his time in office, half of Ohio's abortion clinics have closed.

One in three women will have to make a decision in their lifetime if an abortion is the right decision for them. I am very proud to be a member of the Pro-Choice Caucus in the Congress. I know this is an extremely personal decision for women, a decision that should be made between a woman and her physician, and a decision the government has no right to intrude upon, a constitutionally protected right as established in our law. It is absolutely critical that women in every part of this country have access to full reproductive health care, including safe abortion services.

If the Court upholds *Whole Woman's Health v. Hellerstedt*, there will be only ten clinics available to the women in the State of Texas. Some would have to travel 7½ hours roundtrip to get the health care that they need.

This is settled law in our country. The Court addressed this issue in *Roe v. Wade* and again in *Planned Parenthood v. Casey*. It reminds us of the importance of the decision that our Supreme Court will make in connection with this case that they will hear on Tuesday.

Doctors are being required, under Texas provisions, to affiliate with near-

by hospitals, and it also limits abortions to ambulatory surgical centers. These measures are designed to reduce or even eliminate, in some circumstances, access to abortion services. Although there are arguments made that these are medically necessary or they are, in fact, intended to improve women's health, Nancy Northup, who is the president of the Center for Reproductive Rights, said it best when she said, the "laws . . . pretend to be about women's health but actually are designed to close clinics." And that is exactly what they intend to do.

These regulations and requirements are very disputed medical value. There are things like limits on nonsurgical drug-induced abortions, mandated building standards for clinics, or 2- or 3-day waiting periods. All of these things are intended to infringe upon a woman's right to choose and to make it more difficult for women to access full reproductive health care.

We all have responsibility in the Congress to stand up against this. I am proud to join my colleagues tonight to say that we will continue to fight to ensure that women have access to all of the reproductive health care they need and that we will resist any effort to infringe upon this important constitutional protection.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank the gentlewoman from New Jersey for her leadership.

It frightens me that in 2016, we are still fighting the same politically motivated battles to roll back women's rights. It has been 43 years since the landmark Supreme Court decision in *Roe v. Wade* made abortion a constitutional right.

Year after year, GOP lawmakers and anti-choice extremists have tried to tear it down. States like Texas have passed egregious laws to disenfranchise women and infringe on their ability to access safe and legal abortions.

Their State law has cut the number of abortion providers in Texas in half, increasing delays and severely limiting access and, frankly, punishing women for exercising their civil liberties.

This obvious war on women has got to stop. No law should control a woman's right to make decisions about her own body—no government, no legislature, no Congress. A woman's personal decision should be between her and her doctor and nobody else. Every woman deserves equal access to all forms of safe and affordable reproductive health.

As the Supreme Court prepares to hear this case, I will continue to stand with women in North Carolina and women across the country in the fight to protect a woman's right to choose.

Mrs. WATSON COLEMAN. Mr. Speaker, we thank you for this opportunity to raise what is a very important issue in 2016. Women are being at-

tacked on several fronts, whether it is on cases that are being brought before courts or whether it is in this House. We have got to recognize that this decision, the decision for a woman to make with regard to her reproductive rights, have already been established. And we as Congress and we as a society of lawmakers and policymakers need to do all that we can to facilitate those rights to ensure that we do not discriminate against people. To discriminate against women in this regard is illegal, and it is unacceptable.

It is time for us to recognize our responsibility to be stewards of the laws which have been put before us and to uphold the Constitution that we have pledged to support and to uphold and to recognize that the abridgement of a woman's right is the abridgement of a civil right, and that is unacceptable.

Mr. Speaker, I yield back the balance of my time.

#### GUANTANAMO BAY

The SPEAKER pro tempore (Mr. KATKO). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 30 minutes.

#### GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PERRY. Mr. Speaker, the safety of Americans, the security of America, should never be jeopardized for any reason, but certainly not simply for the purpose of fulfilling a campaign pledge.

The President recently released a plan about closing Guantanamo Bay, and it demonstrates to me—and I think to the American people—that his plan is misguided, as well as his priorities.

The proposal to close Guantanamo proves that his priority lies in leaving behind a legacy rather than protecting the American people and American national security. As a matter of fact, it presents nothing more than another attempt to fulfill a campaign promise and distracts, based on the timing, from the administration's failure to defeat ISIS.

Perhaps it explains why the administration missed a separate congressionally mandated deadline last week for a plan to counter radical Islamic extremism. So he missed that deadline but was on time for an incomplete plan to close Guantanamo and the detention facility for terrorists that remains on that post.

Now, Congress is a coequal branch of government. It is coequal to the President, equal in power, equal in representation of America's interests, and it

has come to a different conclusion than the President. We have absolutely strong and justified reasons for our concern.

Mr. Speaker, last September, the Director of National Intelligence reported that 30 percent of transfer detainees are confirmed or suspected to be reengaging in terrorist activities. Thirty percent. They are not necessarily in some prison overseas; 30 percent of them are out running around conducting terrorist activities.

The director's report clearly shows that the detainee transfer process is deeply flawed. It poses a real, significant, unnecessary, and unacceptable risk to the security of our Nation.

Just this week, Spanish and Moroccan police arrested four members of a jihadi cell that sought to recruit for ISIS fighters, including one former Guantanamo detainee who once fought against Americans in Afghanistan. I mean, that is this week. I guess he is part of the 30 percent or maybe it is 30-point something now, and I suspect it will just keep going up the more we release.

The President claims that Guantanamo, GTMO, weakens our national security by furthering the recruiting propaganda of Islamist terrorist groups, essentially saying we can't keep these people in prison because it makes the terrorists mad and it makes them want to do more terrorist things.

□ 1900

I guess we shouldn't put gang members in prison either, because their gang buddies would then be mad and want to conduct more gang activities in their communities. Now, based on that logic, we should let all these people out.

Al Qaeda has waged war against the United States long before Guantanamo, long before the detention facility was constructed in Cuba; right? It didn't exist when the World Trade Center was first bombed in 1993, when the U.S. Embassies in East Africa and Tanzania and Kenya were bombed in 1998. It didn't exist when the USS *Cole* was attacked in 2000, and it certainly didn't exist on 9/11 when Islamists attacked our country.

Islamist terror organizations have been and will be at war with Western culture regardless of whether GTMO remains open or is closed. Of that, you can be sure.

The President claims cost savings. His plan, he says, to move or transfer detainees abroad and to the U.S. would lower costs between \$140 million and \$180 million annually, which is absolutely nothing to sneeze at. I will let everybody know: I had a hearing today in Homeland Security where they wasted \$180 million on human resources programs—that is \$180 million gone—and 300-some-odd-million dollars for employees at the Department of Homeland Security that are home on leave because of doing something improper, while they adjudicate the issue.

While it is expensive, let's compare the cost, the immediate impact of not having these terrorists in prison.

The 9/11 attacks cost our country over \$230 billion initially. So we are looking at \$140 million to \$180 million annually to \$230 billion initially, and that doesn't include the damage made to the airline industry or the additional costs that our whole country has had to endure due to increased security, whether it is at the airport, whether it is at the grocery store, or whether it is in your home. And it certainly doesn't include the cost to our freedoms.

The President's proposal fails to provide the critical details required by law, the law that he signed. His proposal failed to provide critical details, including the exact cost and the location of an alternate facility. Where does he want to put it and how much does it cost? These are required by law, and he hasn't enumerated them. Yet he has had 7 years. This is a campaign pledge. He has had 7 years to come up with this information. Somehow this is Congress' fault? I don't think so. He is just simply unwilling or unable to state where he is going to keep these dangerous terrorists that are currently at Guantanamo Bay in Cuba.

Common sense tells us that the administration is simply avoiding fueling a political outcry when he specifies where these individuals are going to be held, because where he has even implied where they are going to be held, there has been a significant outcry, and it has been bipartisan.

Citizens of the United States don't want these terrorists in their neighborhood. They don't want them in their town. They don't want to be around them. That is exactly what the problem is with his proposal. The plan is just more politics and not any substance. It fails to satisfy the requirements mandated by Congress in the law that he, himself, signed.

You might ask who is still at GTMO. I mean, it has been years now going on. Who is still there? I want to remind everybody, Mr. Speaker, Khalid Sheikh Mohammed, the mastermind of 9/11, the terrorist attacks on the World Trade Center, the Pentagon, and the hijacking of United Airlines flight 93, that is who is there.

Or Mustafa Ahmed Hawsawi, who supported al Qaeda's terrorist network as a facilitator, financial manager, and media committee member. This support included the movement and funding of 9/11 hijackers to the U.S. to participate in terrorist attacks orchestrated by Khalid Sheikh Mohammed. He is affiliated with a number of high-level al Qaeda operatives. That is who is in that prison. Do you want him in your neighborhood? Do you want them in your neighborhood?

It is against the law to transfer these terrorist detainees to American soil. It is against the law. The President signed this law. A bipartisan majority in Congress has, year after year after

year, reaffirmed restrictions on transferring these detainees to American soil.

As a matter of fact, the provisions of this were first included in the annual National Defense Authorization Act, the NDAA, in a Democrat-led Congress in 2009. So it is not partisan. In fact, the most recent NDAA passed with the same provisions with 370 votes in the House and 91 votes in the Senate before once again the President signed the law himself. He is simply attempting to make this a partisan issue by seeking to contradict the will of the American people through their duly elected representatives.

Ultimately, the plan is simply not safe. The American people don't want GTMO terrorists in their communities, in their backyard, and for good reason. These terrorists should be tried. They should be tried under the military tribunal provisions already laid out in the \$10 million-plus courtroom facility that the taxpayers already paid for. Many of us have visited it. It is sitting right there on the post. We are waiting for these detainees to go to that courtroom that we paid for and be tried. That is fine with us. That is fine with Members of Congress, and that is fine with the American people. We don't need to bring them to America to do that. Congress is going to uphold its promise that any plan that seeks to transfer these dangerous war criminals does not happen.

I yield to the gentleman from Texas (Mr. WEBER), my good friend.

Mr. WEBER of Texas. I thank the gentleman from Pennsylvania (Mr. PERRY), my colleague, for organizing this Special Order.

Mr. Speaker, it is absolutely important that the American people need to learn about the President's proposal and what impact it is going to have on our country.

Folks, closing GTMO and transferring these dangerous terrorists to United States soil is a terrible and an illogical idea. Instead of putting America first, the President once again continues to weaken our national security by pursuing decisions apparently geared toward solidifying some form of his legacy. I am just not sure who he is trying to impress here.

Did you know that as many as one in three—the gentleman from Pennsylvania said 30 percent and rising; with the latest figures I have, 33 percent—one in three former GTMO detainees have returned or are suspected of returning to terrorist organizations? One in three, Mr. Speaker. In baseball, that is a .333 batting average. That is good enough to get you into the Hall of Fame in many instances.

Speaking of Hall of Famers, Mr. Speaker, the most infamous former GTMO detainee, one of their hall of famers, if you will, is Ibrahim al Qosi, once the cook for none other than Osama bin Laden himself.

Al Qosi pled guilty to charges of conspiracy and providing material support



to al Qaeda. Al Qosi was transferred from GTMO to Sudan, his home country, after 2 years. Well, since his release, he has become an influential leader within—you guessed it—al Qaeda in Yemen.

What was the President thinking would happen? Well, the President's plan includes "transferring the bulk of remaining detainees to other countries and moving the rest because they are deemed too dangerous to transfer abroad to an as yet undetermined detention facility in the United States."

Mr. Speaker, a recent poll from Rasmussen confirms that the majority—56 percent, in fact—of the American people widely disapprove of the President's irresponsible plan to close GTMO. For those who side with the President's plan and attempt to rationalize the fact that these dangerous and deadly terrorists will be in supermax facilities, let us not forget about the prison break that happened in one of those facilities in New York just last year.

The two men who escaped weren't masterminds. They weren't terrorists of the first order like these guys are. Can you imagine what masterminds who plot terror, who love death and violence almost as much if not more than we love life and liberty, can you imagine what these masterminds of terrorism could do? Who knows how much help they could get from the outside, what their hall of famers could help them do.

Mr. Speaker, I am not willing to find out what they can do with the aid of their hall of famers on the outside, and I don't think the American public is willing to find out, either. Fortunately, as the gentleman from Pennsylvania said, Congress has already taken preventive measures by including language in the recent National Defense Authorization Act, the NDAA, that would bar Guantanamo detainees from being transferred to the United States, and the President signed this legislation into law.

For the President to close GTMO, current law must be changed. Oh, I forget. He doesn't seem to be hampered by the idea of current law. New legislation would have to be written, Mr. Speaker. It would have to be approved by Congress and sent to the President's desk again. Let me just tell you: I, for one, will not support any measure that will allow these dangerous terrorists to be transferred to the United States. America and Americans are far too precious to take this kind of risk.

I want to thank the gentleman from Pennsylvania (Mr. PERRY), my friend, for hosting this Special Order hour tonight.

I want to read something that was written by Michelle Jesse, where Secretary of State John Kerry testified in front of a Senate committee hearing, I think it was yesterday. It was pointed out to the Secretary that this very guy who was the cook of Osama bin Laden, al Qosi, had indeed gone back to terrorism and to trying to kill Americans yet again.

I guess Mr. Kerry in seven simple words probably dismantled the President's argument about why it was a good idea, maybe unwittingly, maybe unknowingly. But when it was pointed out to him that that terrorist was back on the battlefield seeking to destroy Americans and kill Americans again, Mr. Kerry's simple response was: "Well . . . he's not supposed to be doing that."

Mr. Speaker, you can't make this stuff up.

I want to thank the gentleman for yielding to me.

Mr. PERRY. I thank my good friend from Texas and agree with him that 30 percent is way too high. One is too many, but 30 percent is way—way too high.

I yield to my good friend from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Pennsylvania for his leadership on this issue. We both are on the Committee on Homeland Security, so we are acutely aware of some of the terrorist dangers that are out there because we hear it in a lot of committee meetings, classified briefings, and other things.

Mr. Speaker, it is time that Congress act proactively against a President who holds a personal legacy above the law. Law does not bend to legacy. Law is obeyed, respected, and even honored for the order it brings to our Nation.

Disturbingly, this principle of our Founders seems to be at odds with a growing segment of politicians. That is why I introduced House Resolution 617. House Resolution 617 gives authority to the Speaker of the House to initiate litigation against any executive branch official should they file an illegal order by transferring detainees to U.S. soil. This commonsense approach provides a constitutional check on the President.

Now, whether in Charleston, Colorado, or Kansas, he should not bring American families, neighbors, and communities into close proximity with some of the most dangerous terrorists in the world.

Unfortunately, the President has forgotten about the people. He has forgotten that they don't travel in armored motorcades. They have no security details guarding their every step, looking around every corner.

I know my constituents are fearful of this proposal by the President because the folks in Charleston, South Carolina, have been fearful. The Navy brig the President is proposing to bring these terrorists to is a very, very short distance from an elementary school.

I would also call on the candidates for President of the United States when they are campaigning around South Carolina, ask them a question: Do they support housing terrorists in our neighborhoods—that is a legitimate question—near our children who are at schools or near our churches where we worship?

Mr. Speaker, the language that prevents transferring detainees to U.S.

soil was actually put in by a Democratic Congress and passed in bipartisan fashion ever since. It was further reaffirmed in last year's NDAA. It is against the law for the President to transfer detainees—I am going to stop using the word "detainees"—terrorists. It is against the law for a President of the United States to transfer terrorists from Guantanamo Bay to the United States, to our soil.

□ 1915

That is in the law. It has been in the law since the Democrats controlled this body. We just reaffirmed it this year. This isn't a Republican or Democratic issue. It is bipartisan. It is against the law.

Now, I visited GTMO. When I was a freshman in Congress 5 years ago, I went down there to see it for myself. Some of the biggest names on the terrorist roster are located there due to the brave efforts of our men and women in combat to capture these guys on the battlefield.

We have released a lot of them. Thirty percent, as you heard the gentleman from Texas say, of the terrorists that we have released have returned to terrorism or we suspect they have return to terrorism. That is based on intel.

Thirty percent is a large number of the number that we have released. Whether it is South Carolina, Colorado, Kansas, or any other State, no State should be a terrorist dumping ground for this administration.

So let's follow the law. Let's follow the law passed in a bipartisan manner through the United States Congress. Let's force the President to follow the law.

Because, if he doesn't, let's pass H.R. 1617 and give the Speaker of the House the legal grounds and the authority to file a lawsuit to put an injunction in place to keep him from violating the law, violating a law, by the way, that he signed.

Mr. PERRY. I think sometimes it seems like the President would like Americans to be more concerned with the rights of terrorists than their own rights.

I wonder about and think about all those MPs, all those members of the services that go down and do a tour at Guantanamo and have horrific things happen to them and still act professionally in the face of these terrorists every single day. That is who we should be thinking about, those people and the American people and their rights.

I yield to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. I appreciate my friend from Pennsylvania (Mr. PERRY) for leading this Special Order to highlight, Mr. Speaker, what is at stake in this latest proposal by President Obama.

As you can see from the passion that my friend from South Carolina just exhibited, this is an issue that rivets throughout the country. People understand what is at stake. People across

America know that there are bad people around the world that want to do us harm.

ISIS is on the move. They are not a JV team. They are not being detained. In fact, they are recruiting Westerners. In fact, they are recruiting Americans into the battle.

So you look at Guantanamo Bay. And this is something that, for whatever reason, has become a rallying cry for the political left. They wanted to close it down.

They wanted to bring those terrorists into the United States, to give them taxpayer-funded rights that the President can't even identify, but that everybody acknowledges they don't deserve. We don't need that kind of threat here.

When you look at the President's proposal this week, I think he has made it clear that he has put the political priorities of the far left elements over the safety and security of the United States of America. This would put Americans at risk by bringing these terrorists into the United States.

Just go look at what kind of people are being held at Guantanamo Bay. These are the worst of the worst. These are people who have plotted and actually carried out attacks against American servicemen and -women. They have killed Americans in the battlefield, killed our troops. These are the people who have carried out those attacks.

So they are being held at GTMO, as it is called, because that is the best place to ensure that we don't have to see them again on the battlefield.

Over 100 of those who have already been released have gone back into the battlefield, in many cases, to kill American soldiers. Why would the President want to give them extra rights? Why would the President want to bring them into the United States of America?

So, Mr. Speaker, we rise today and highlight this to point out, number one, what the President's intent really is and what the President is trying to do. This is something the President has asked Congress to take up.

Mr. Speaker, we are making it very clear it is not going to happen. This House will not allow these terrorists being detained at Guantanamo Bay to enter into the United States to undermine America's national security.

They are over there for a reason, which is because of terrorist attacks they have not only plotted, but carried out, against Americans. So, Mr. Speaker, they belong in Guantanamo Bay. Under this House, they are going to stay in Guantanamo Bay and not be brought into the United States.

Again, I thank my colleague from Pennsylvania for this Special Order that he is leading.

Mr. PERRY. I thank the majority whip for his passion and his remarks. While he talks about the battlefield, we are going to hear from somebody that has been to the battlefield.

The other thing about these terrorists that are spending their time in Guantanamo Bay is that they turned America into a battlefield in New York City.

I yield to my good friend, the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. I would like to congratulate the gentleman from Pennsylvania on his recent promotion to general and for all of his service not just here in Congress, but also in uniform.

This week President Obama sent an incomplete plan to Congress to close the detention facility at Guantanamo Bay, Cuba. This plan would send terrorists back home overseas and even bring high-risk terrorists to detention centers here in the United States.

There are still so many unanswered questions with regard to the President's proposal, for example, what happens when we capture the next 2 or 10 or 30 terrorists? Where are we going to question them? Where are we going to detain them? What is the exact placement inside the United States for those detainees currently in GTMO? Also, what legal protections and rights will detainees have if we bring them into the U.S. and into our civilian court system?

Make no mistake. These detainees at GTMO are the worst of the worst of the worst. All the variables left out of the President's plan shows that this really isn't a plan. It is a political campaign pledge from 8 years ago.

The facility at Guantanamo Bay has not only served as a place to keep some of the most dangerous terrorists in the world, but also as a tactical and strategic facility where intelligence is gathered to prevent potential attacks against our country and ensure U.S. national security.

While the President was speaking this week, it was reported that a former prisoner at Guantanamo Bay was one of four terror suspects affiliated with ISIS who was arrested for his alleged role in plotting terror attacks in Spain. Just one week earlier another former prisoner at Guantanamo was pictured in a number of videos that called for jihad against the Saudi Kingdom and the Western world.

These two cases are not just coincidence. Just a few months ago the Office of the Director of National Intelligence reported that one-third of freed Guantanamo prisoners are either suspected or confirmed of returning to terrorist activities. One-third.

The President is willing to compromise the security and safety of American lives for the sake of his own legacy. Bringing dangerous terrorists to U.S. soil is a dangerous political move that could not come at a worse time, as groups like ISIS continue to spread across the Middle East, Europe, and the rest of the world. Again, Guantanamo is a key strategic and national security asset.

For the sake of our national security, I will do everything in my power to ensure that the detention facility at

Guantanamo Bay remains open. I would rather have terrorists in GTMO or dead than in U.S. detention facilities or back on the battlefield.

Mr. PERRY. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 3 minutes remaining.

Mr. PERRY. Folks, there you have it. The case has been made. At this point, it is essentially irrefutable. You can't see what the upside is to bringing these people to the United States and closing the facility.

Al Qaeda, ISIS, radical Islamists, are not going to stop. They are never going to stop. It certainly has nothing to do with where people are detained. It has nothing to do with that.

They hate the West. They hate America. That is not going to change anytime soon. Allowing these people, these terrorists, to live within our community is not going to solve any part of that equation.

Mr. Speaker, the President has had 7 years to come up with a plan, 7 years for specifics, and, yet, he came this week and provided none of those specifics.

Earlier this year I asked the President about the details and about the transfer already conducted of these terrorists to other countries: What are the details? What has American given? How much has it cost us?

I didn't realize at the time that we have already transferred detainees to 55 countries around the world. We have no idea, as American citizens, from the most transparent administration in history—so-called by the administration—what the details of those arrangements are, but we do know this. These terrorists have been transferred to the likes of Yemen, Pakistan, Libya, Iran, and Iraq.

What kind of judgment is that, Mr. Speaker? We are sending terrorists from a detention facility to terrorist nations, nations where terrorism thrives, and expecting them not to re-engage, expecting them not to join the fight.

They are going to join the fight and they are coming after us. The President needs to quit being selfish and needs to be responsible with the security of his country.

I yield back the balance of my time.

#### ORIGINAL BLACK HISTORY MONTH RESOLUTION OF 2016

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

##### GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, tonight we will take up H. Res. 597, the Original Black History Month Resolution of 2016.

This resolution is one that has been endorsed by and cosponsored by 24 Members of the House. I want to thank each of them for their support of this resolution. It was introduced on February 2, 2016. I also want to thank the leadership for allowing us to have this time tonight to talk about Black history.

More specifically, tonight we are going to talk about Black history as it relates to hallowed grounds, the sites of African American memories. But before going there, I think it appropriate to note that the House of Representatives has passed Black history resolutions since 2007.

In 2007, the 110th Congress, we had a resolution that passed. It passed by voice vote. In 2008, the resolution passed 367-0. In 2009, it passed 420-0. In 2010, 402-0. Since 2010, of course, we have not taken votes on any resolutions, generally speaking.

I am honored to speak at this time of hallowed grounds, sites of African American memories. I am honored to do so because there are many persons who have made great sacrifices so that many of us would have the opportunities that we have. Many persons have suffered great pain so that some individuals can have great gains.

Tonight we will discuss some of the pain because pain is associated with hallowed grounds.

There are some things that we should never forget. We should never and cannot forget—nor should we—Pearl Harbor. This is a place where we have hallowed grounds. I have been to Pearl Harbor, and I know of the memorial that is there.

We should not forget 9/11 and the World Trade Center. Hallowed grounds exist on the site where the World Trade Center was taken down.

Because atrocities can sometimes create these hallowed grounds, we will sometimes find that things that we have to say are not always appealing, but the truth is that we cannot sanitize history.

Efforts to sanitize history will only create what we call his story, someone else's version, but it is not the true history.

Tonight we will not sanitize, but we will, in fact, be truthful about some of those hallowed grounds. Some of them have atrocious events associated with them.

Let us start with hallowed grounds, places, sites, if you will, of Black history and some of the memories—not all good—associated with the African American lives that have been lost in this country, unfortunately.

□ 1930

Let us start with Mother Bethel AME Church in Philadelphia, Pennsylvania, established in 1794. This is a place that

is, without question, of hallowed ground, because this place is the home of one of the Underground Railroads to freedom.

It was the Union Station, if you will, of the Underground Railroad to freedom, where slaves would be stationed and they could receive sanctuary as they were moving from this country to Canada and moving to freedom.

This church was founded by the Honorable Richard Allen, who was a former slave himself, and became the founder of the AME Church. In fact, he was the first bishop of the church.

This site, if you will, had many people who were, but for the people who were there to give them aid and comfort, who were lost and were people who were trying to find their way on freedom's road, the Underground Railroad, if you will, to freedom, the Underground Railroad.

Well, I am going to quote now Harriet Tubman, because Harriet Tubman reminded us of something that is important as it relates to African American history and some of the incidents that we will talk about.

Harriet Tubman reminded us that she freed 1,000 slaves, but she went on to say: "I could have freed another thousand if they had only known that they were slaves." If they had only known that they were slaves, they, too, could have been freed.

The point that she was making is—and was—that people who are held in servitude can become so conditioned to their servitude that they don't really understand the condition that they are actually existing under and, as a result, they accept it.

Harriet Tubman did not. Those who were part of the Underground Railroad to freedom did not accept servitude, and they wanted to have freedom; and this place, this church, Mother Bethel, was a place of freedom and a sanctuary for those who were seeking new opportunities and a better life in a better place.

Another site, another place for us to remember the hallowed grounds that led to freedom, Seneca Village in New York City. The time of its existence was from 1825 to 1857. It was the site of a free middle class community. It was a small village, founded by Black people in 1825. And it is interesting to note that 10 percent of the African American voters who lived in New York lived in Seneca Village—10 percent.

There were other persons living there as well. The Irish were there. The Germans were there. These were immigrants as well.

The unfortunate circumstance about this hallowed ground, however, is that it was razed. Seneca Village was razed so that Central Park could rise. And the unfortunate circumstance further is that the stain of invidious eminent domain is Central Park's shame. It is so unfortunate that people were forced to leave their homes so that Central Park could have a home.

Another site that we will mention tonight is Freedmen's Town, the historic

district in Houston, Texas. Freedmen's Town was one of the first and the largest of the post-Civil War Black urban communities in the United States. It was settled by emancipated slaves in 1866. Although African Americans lived in Houston before and during the Civil War, Freedmen's Town represents the first community of free Black Houstonians in the city. It was, however, more than just a community. It was, indeed, a town. It had the infrastructure. It had the streets that were made of brick. It had lawyers and doctors. It had persons who were teachers, professionals, artisans, tradesmen.

I had the privilege of going into Freedmen's Town not so long ago to the home of one of the prominent lawyers who lived there at that time.

Preserving Freedmen's Town has become quite a challenge, but there are people in the community and Fourth Ward who are committed to its preservation. I will mention one such person. This would be Ms. Gladys House, who has worked tirelessly to maintain the character and infrastructure in Freedmen's Town.

Another site would be Greenwood, the Greenwood community, also known as Black Wall Street. This was in Tulsa, Oklahoma. It was the site of a race riot in 1921. This riot lasted from May 31 to June 1, when the unthinkable—the unthinkable—occurred. The unthinkable occurred because of an allegation of a Black male assaulting a White female. A sexual assault was alleged. I don't know that it was ever proven. I haven't been able to find any place in the readings and the research that I have done to substantiate the fact that it was proven. But it was alleged, an attempted sexual assault, if you will.

This attack on this community of African Americans led to 10,000 people being left homeless—10,000—35 or more city blocks were destroyed by fire, and estimates range from 39 to 300 people having been killed by various sources. We have found this to be the information that we can share. The residents rebuilt the community within 5 years. However, the community later declined because of desegregation in the mid-20th century.

This incident, however, is something that we can never forget, just as we can't forget Pearl Harbor, just as we can't forget 9/11. The incident was something that took place and had the blessings of the constabulary. The police actually helped set fire to the property of the people who lived there. Later, a police chief apologized, and this was done in September of 2013. An apology was given for the attack that took place many years before, between May 31 and June 1 of 1921.

Hallowed ground.

We should remember the Bryant's Grocery and Meat Market in Money, Mississippi, because on August 28, 1955, Emmett Till was murdered in Money, Mississippi. He was murdered because of an allegation of his having accosted a White female.

In these times, we don't like to discuss it. I know that it makes some uncomfortable. But during these times, it was dangerous for Black men to speak in an unkind way to a White female. In fact, it was unkind for them to look at White females in a certain way. As a result, many Black men lost their lives because of allegations that were never proven with reference to flirting or attempted rape, in many cases.

Well, as the case was with Emmett Till, he was a 14-year-old child from Chicago. He did not know the ways of the South. His mother had given him warnings before he left, but her admonitions were not enough. At some point, he went into this store, and the owner's wife alleges that he made a pass at her, if you will. Some said he whistled; others said he winked. There are many accounts, but it was never proven that he did anything.

After learning of this alleged incident, the owner of the store, with a friend, literally went into the home of Emmett Till, went into his home and took him from his home. They took him away and they beat him. They took him to a river, the Tallahatchie River, and after actually bludgeoning his eyes out, they threw him in the river, and his body was later discovered. His mother was so shocked, and the country was so shocked by what happened, that it instigated a movement in the country. Much of the movement led to the civil rights movement.

But the one thing that happened that his mother did that made a difference for many of us who are alive today was she allowed him to have an open casket so that the world could see the horrors of invidious segregation.

In 1955, what happened, his death, led to the passage of the Emmett Till Unsolved Civil Rights Crime Act of 2007. His death in 1955 led to the passage of this act in 2007. It was introduced by Congressman JOHN LEWIS, and it authorizes \$13.5 million annually, over a 10-year period, for Federal investigations of civil rights violations resulting in death prior to 1970.

However, it is interesting to note, and I hope that all within the sound of my voice will hear this, the bill has never been funded. The bill has never been funded.

The next site that we shall visit will be the National City Lines, and we will talk about bus No. 2857 in Montgomery, Alabama. The time of the Montgomery Bus Boycott was 1955 through 1956. It lasted 381 days. This bus boycott took place because of invidious discrimination alleged and occurring—excuse me, because it actually happened—against Ms. Rosa Parks.

Ms. Parks was a passenger on the bus and was required to give up her seat, which she refused to do not because she was tired of working, but because she was tired of invidious discrimination, if you will. She was tired of having to surrender her seat to persons simply because of her hue, the hue of her skin,

so she refused to get up from her seat, and her actions started a boycott that lasted 381 days.

But there was also a lawsuit that was filed, *Browder v. Gayle*, and that lawsuit went all the way to the Supreme Court. The boycott and the lawsuit complemented each other.

Many times you need the protest movement to let those who are in power know that you are not satisfied with your circumstances, and they protested for the 381 days. The Supreme Court ruled, and they ruled that this type of segregation was unconstitutional. As a result, Dr. King became very prominent in the country. Ms. Rosa Parks, of course, did, as well as Reverend Abernathy.

Another site, the Ebenezer Baptist Church in Atlanta, Georgia, and January 10, 1957, was the date the Southern Christian Leadership Conference was born at this church. This church was a church home of many of the civil rights leaders that participated in many of the boycotts that took place. It was after the successful Montgomery Bus Boycott that Dr. King invited other leaders to associate themselves with him and the civil rights movement at this church. The church became a national historic site in 1980.

Another site that we should remember in memorializing and making note of historic places that are a part of hallowed grounds for African Americans would be Little Rock Central High School in Little Rock, Arkansas.

September 1957, this was the date that a desegregation effort took place, and there was much resistance to this desegregation. This occurred 3 years after the ruling in *Brown v. Board of Education*. There were nine young children who tried to attend this all-White Little Rock Central High School, and these nine young children were accosted; they were threatened.

The violence that you could see on the faces of the persons who did not want innocent children in their school is something that you will remember. If ever you have an opportunity to review some of the old news reels, you can see the anger that I speak of. President Eisenhower ended up having to use Federal troops to desegregate this school. The event was heavily televised, and the news stories are available for those who would like to see.

Another site would be the Woolworth's Store, the five-and-dime, in Greensboro, North Carolina. This was the place where four young Black males decided that they were going to have a sit-in.

Sit-in simply means that they were going to either be served, or they would sit there until they were served or removed.

These students showed the kind of resistance that inspired others around the country to take up the same cause, to decide that they too would engage in sit-ins. While this was not the first sit-in, it is one of the most famous, if not the most famous sit-in, and the Wool-

worth's Store was finally desegregated in 1965.

Hallowed grounds.

Another site to remember is the Birmingham jail in Birmingham, Alabama. April 16, 1963, Dr. Martin Luther King wrote his "Letter from Birmingham Jail," one of the most celebrated pieces of literary history. This letter has been studied by historians and is considered one of his most important works.

He, in this letter, defines the non-violent civil rights movement. It was this letter that was published in the *Liberation Magazine* in June of 1963 that led many people to understand the horrors of the civil rights movement, the horrors that civil rights workers suffered during the civil rights movement, and some of the suffering that people were enduring who were living under segregation.

□ 1945

Another site to remember would be the Lincoln Memorial on the National Mall in Washington, D.C. August 28 of 1963 is when Dr. King gave his famous "I Have a Dream" speech.

This march was one of the most successful in the country's history. 200,000 to 300,000 people attended. This march helped to popularize the movement and support necessary for the Civil Rights Act of 1964.

Another site to remember as we review hallowed grounds, sites of African American memories, would be the 16th Street Baptist Church. On September 15 of 1963, a dastardly terrorist act occurred right here in the United States of America in Birmingham, Alabama.

Terrorists bombed the 16th Street Baptist Church, killing 4 young girls, and 22 others were wounded. The church was repaired and reopened on June 7 of 1964. In 1980, it was added to the National Registry as a historical place.

Another site of hallowed grounds is the Edmond Pettus Bridge. Much is always talked about when we talk about hallowed grounds with respect to the Edmond Pettus Bridge because, on March 7, 1965, about 600 peaceful protesters were attacked and assaulted by the constabulary.

They were beaten back to the place where they started their march. The Honorable JOHN LEWIS was a member of this group of persons, peaceful protesters, who wanted to march from Selma to Montgomery. This violence against the marchers was televised.

One of the things that we have noticed as we reviewed these sites and these incidents, these atrocities, is that television helped to change the American psyche because people had an opportunity by way of television to see what others were actually experiencing, very much akin to what we are seeing now with cell phones and some of the things that are happening to persons at the hands of the constabulary.

Much of what people would say others did not believe. But when you have

the actual pictures to see the representation by way of pictures, it can make a difference in the psyche of people.

As a result of this march, many having suffered, we found that the civil rights law of 1965 was passed. This was done because people suffered and because the Edmund Pettus Bridge became a place for us to memorialize as hallowed grounds.

Moving forward, the civil rights acts, many of them—the history of those who were able to accomplish things by way of the courts is all predicated upon a lot of suffering that took place in this country. Too many people suffered so that I could have the opportunity to be here tonight to talk about these hallowed grounds.

I feel that it is my duty to do this. I know that talking about these things can create a good deal of discomfort for people. We ought to feel a certain amount of discomfort because what happened was, without question, something that this country should never want to see happen again and should never have happened ever to anyone.

But we must remember our history just as we are going to remember Pearl Harbor, just as we are going to remember 9/11, and just as we are going to remember World Wars I and II.

We have to remember the history in this country, the atrocities that occurred against African Americans as they were trying their very best to live peaceful lives. Hallowed grounds, the sites of African American memories.

Mr. Speaker, I want to thank you for the time tonight to bring up these hallowed grounds and to talk about Black History Month, especially as it relates to some of the things that happened in this country.

But I also want to say this, Mr. Speaker. Notwithstanding all of the things that I have said and all of the memories that I have recounted, it is important for us to note that the country has truly come a long way.

I still contend that, notwithstanding all of the atrocities, this is a great place for Americans of all hues to find their way in the world.

This is a special country. I love my country, but I don't forget the things that happened in my country to cause us to memorialize certain places as hallowed ground.

Mr. Speaker, I yield back the balance of my time.

#### EXPRESSING GRATITUDE TO THE FIRST RESPONDERS AND LOCAL OFFICIALS FOR THEIR SELFLESS RECOVERY EFFORTS IN NORTH-EAST TEXAS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. RATCLIFFE) for 30 minutes.

Mr. RATCLIFFE. Mr. Speaker, on December 26 last year, tornadoes ravaged northeast Texas, tragically resulting in the loss of several lives and destroying

hundreds of homes and small businesses in my Congressional District.

But in the wake of this tragedy, I was inspired to see how many wonderful people stepped up in our communities to help those in need.

I am especially grateful to our first responders and local officials whose selfless commitment and dedication to the ongoing recovery efforts over the past few months have brought so much healing to our communities.

In Rowlett, I would like to send a special thanks to Mayor Todd Gottle for his incredible leadership. To City Manager Brian Funderburk, the entire Rowlett Police and Fire Departments, the doctors and staff at Lake Pointe Medical Center, and local residents Sammy Walker and Bruce Hargrave, who pulled a mortally wounded man from the rubble of his home, thank you.

In Rockwell County, our thanks to County Judge David Sweet, Sheriff Harold Eavenson, Chief Deputy David Goelden, and Emergency Manager Joe DeLane.

In Collin County, I would like to thank County Judge Keith Self, Constable Gary Edwards, Assistant Emergency Management Coordinator Jason Lane, and the Collin County Sheriff's Department.

From Farmersville, thank you to the entire police and fire departments there, to Chief Mike Sullivan, to City Manager Ben White, and Mayor Joseph Helmberger.

In Blue Ridge, I would like to thank Mayor Rhonda Williams, the volunteer fire department there, and the Westminster Fire Department.

And in Hunt County, thanks to Judge John Horn and Homeland Security Manager Richard Hill.

Beyond this, I would like to thank the many churches and charities who offered their support, like First Baptist Farmersville and Pastor Bart Barber, First Baptist Rowlett and its director, Jon Bailey.

I know that, without the selfless efforts of all these great people and all these organizations, the recovery efforts and restoration of our communities would simply not be the same. Your efforts are so greatly appreciated.

With that, Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COOPER (at the request of Ms. PELOSI) for today and February 26 on account of attending a funeral.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2109. An act to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert

T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

#### ADJOURNMENT

Mr. RATCLIFFE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Friday, February 26, 2016, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4460. A communication from the President of the United States, transmitting a request for emergency supplemental appropriations to respond to the Zika virus both domestically and internationally (H. Doc. No. 114—103); to the Committee on Appropriations and ordered to be printed.

4461. A letter from the Acting Principal Deputy for the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Lieutenant General John W. Nicholson, Jr., United States Army, to wear the insignia of the grade of general, pursuant to 10 U.S.C. 777a(b)(4); Public Law 111-383, Sec. 505(a)(1); (124 Stat. 4208); to the Committee on Armed Services.

4462. A letter from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's interim rule — Community Development Financial Institutions Program (RIN: 1505-AA92) received February 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4463. A letter from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's interim rule — Bank Enterprise Award Program (RIN: 1505-AA91) received February 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4464. A letter from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's interim rule — Capital Magnet Fund (RIN: 1559-AA00) received February 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4465. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Fiscal Year 2014 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs, pursuant to 42 U.S.C. 295c(d); July 1, 1944, ch. 373, title VII, Sec. 768(d) (as amended by Public Law 111-148, Sec. 10501(m)); (124 Stat. 1002); to the Committee on Energy and Commerce.

4466. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); and 22 U.S.C. 2349aa-9(c); Public Law 99-83, Sec. 505(c); (99 Stat. 221); to the Committee on Foreign Affairs.

4467. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report by the Department on progress toward a negotiated solution of the Cyprus question covering the period of August 1 through September 30, 2015, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

4468. A letter from the Director, Financial Reporting and Internal Controls, Department of Commerce, transmitting the Department's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

4469. A letter from the Secretary and Treasurer, Financing Corporation, transmitting the Corporation's Statement on the System of Internal Controls and the 2015 Audited Financial Statements, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

4470. A letter from the Secretary and Treasurer, Resolution Funding Corporation, transmitting the Corporation's Statement on the System of Internal Controls and the 2015 Audited Financial Statements, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

4471. A letter from the Assistant Attorney General, Department of Justice, transmitting a report to Congress concerning grants made under the Paul Coverdell National Forensic Science Improvement Grants Program, pursuant to 42 U.S.C. 3797o(b); Public Law 90-351, Sec. 2806(b) (as amended by Public Law 107-273, Sec. 5001(b)(5)); (116 Stat. 1814); to the Committee on the Judiciary.

4472. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a notification that the cost of response and recovery efforts for FEMA-3374-EM in the State of Missouri has exceeded the \$5 million limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

4473. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Port Everglades final feasibility report and environmental impact statement dated May 2015 (H. Doc. No. 114—104); to the Committee on Transportation and Infrastructure and ordered to be printed.

4474. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Upper Des Plaines River and Tributaries integrated feasibility report and environmental assessment dated January 11, 2016 (H. Doc. No. 114—105); to the Committee on Transportation and Infrastructure and ordered to be printed.

4475. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Orestimba Creek final interim feasibility report and environmental assessment/initial study dated March 2013 (H. Doc. No. 114—106); to the Committee on Transportation and Infrastructure and ordered to be printed.

4476. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Hereford Inlet to Cape May Inlet final feasibility report and integrated environmental assessment dated April 28, 2014 (H. Doc. No. 114—107); to the Committee on Transportation and Infrastructure and ordered to be printed.

4477. A letter from the Secretary, Department of Labor, transmitting the Depart-

ment's report on the Short-Time Compensation Program, pursuant to Public Law 112-96, Sec. 2166(a); (126 Stat. 178); to the Committee on Ways and Means.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WALBERG (for himself, Mrs. LUMMIS, Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. JODY B. HICE of Georgia, Ms. JENKINS of Kansas, Mr. MULVANEY, Mr. DESANTIS, Mr. GOSAR, Mr. RIBBLE, Mrs. MILLER of Michigan, and Mr. BLUM):

H.R. 4612. A bill to ensure economic stability, accountability, and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself and Ms. JUDY CHU of California):

H.R. 4613. A bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals; to the Committee on the Judiciary.

By Mr. OLSON (for himself, Mr. REICHERT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PASCRELL, and Mr. KIND):

H.R. 4614. A bill to amend title XVIII of the Social Security Act to align physician supervision requirements under the Medicare program for radiology services performed by advanced level radiographers with State requirements; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself and Mr. ROHRBACHER):

H.R. 4615. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received from a water department for water conservation efficiency measures and water runoff management improvements; to the Committee on Ways and Means.

By Mr. NADLER (for himself and Mr. BURGESS):

H.R. 4616. A bill to promote and protect from discrimination living organ donors; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, House Administration, Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Mr. YOUNG of Alaska, Mr. MCDERMOTT, Ms. HERRERA BEUTLER, Mr. HECK of Washington, Mr. KILMER, Mr. SMITH of Washington, and Mr. LARSEN of Washington):

H.R. 4617. A bill to amend the Richard B. Russell National School Lunch Act to require that the Buy American purchase requirement for the school lunch program include fish harvested within United States waters, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COLLINS of Georgia:

H.R. 4618. A bill to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the "Sidney Oslin Smith, Jr. Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CUMMINGS:

H.R. 4619. A bill to strengthen incentives and protections for whistleblowers in the financial industry and related regulatory agencies, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HILL:

H.R. 4620. A bill to amend the Securities Exchange Act of 1934 to exempt certain commercial real estate loans from risk retention requirements, and for other purposes; to the Committee on Financial Services.

By Mrs. CAPPs (for herself and Mr. SARBANES):

H.R. 4621. A bill to amend title XXI of the Social Security Act to improve access to, and the delivery of, children's health services through school-based health centers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONAWAY (for himself, Mr. MCKINLEY, Mr. HARPER, Mr. TIPTON, Mrs. LUMMIS, Mr. CRAMER, Mr. JENKINS of West Virginia, Mr. VEASEY, Mr. BARR, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BARTON, Mr. BUCHSON, Mr. PETERSON, Mr. MOOLENAAR, Mr. RODNEY DAVIS of Illinois, Mr. MURPHY of Pennsylvania, Mr. JOHNSON of Ohio, Mr. BOUSTANY, and Mr. HUIZENGA of Michigan):

H.R. 4622. A bill to amend the Internal Revenue Code of 1986 to improve and make permanent the credit for carbon dioxide sequestration; to the Committee on Ways and Means.

By Mr. GRIJALVA (for himself, Mr. HASTINGS, Mr. CARSON of Indiana, Ms. LEE, Ms. NORTON, Mr. CONYERS, Ms. KAPTUR, Mr. CLAY, and Ms. CLARKE of New York):

H.R. 4623. A bill to allow homeowners of moderate-value homes who are subject to mortgage foreclosure proceedings to remain in their homes as renters; to the Committee on Financial Services.

By Ms. HAHN:

H.R. 4624. A bill to amend title 49, United States Code, to provide for the inspection of pipeline facilities that are transferred by sale and pipeline facilities that are abandoned, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANNA (for himself and Mr. PASCRELL):

H.R. 4625. A bill to require the Secretary of Health and Human Service to develop a voluntary patient registry to collect data on cancer incidence among firefighters; to the Committee on Energy and Commerce.

By Ms. JENKINS of Kansas (for herself, Mr. BLUMENAUER, Mr. RODNEY DAVIS of Illinois, and Mr. LIPINSKI):

H.R. 4626. A bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit; to the Committee on Ways and Means.



By Mr. LEWIS:

H.R. 4627. A bill to amend title XIX of the Social Security Act to provide parity among States in the timing of the application of higher Federal Medicaid matching rates for the ACA-expansion population; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself and Mr. KING of New York):

H.R. 4628. A bill to require reporting of terrorist activities and the unlawful distribution of information relating to explosives, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of Florida:

H.R. 4629. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Natural Resources.

By Mr. RUSH (for himself and Mr. PAL-LONE):

H.R. 4630. A bill to deny corporate average fuel economy credits obtained through a violation of law, establish an Air Quality Restoration Trust Fund within the Department of the Treasury, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSSELL:

H.R. 4631. A bill to amend the Agricultural Risk Protection Act of 2000 to eliminate the authority of the Secretary of Agriculture to make value-added agricultural product market development grants to support the development, production, or marketing of alcoholic beverages and to rescind a portion of the Commodity Credit Corporation funds made available for such grants; to the Committee on Agriculture.

By Mr. WENSTRUP (for himself and Mr. DANNY K. DAVIS of Illinois):

H.R. 4632. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRBACHER:

H.J. Res. 82. A joint resolution relating to the disapproval of the proposed foreign military sale to the Government of Pakistan of F-16 Block 52 aircraft; to the Committee on Foreign Affairs.

By Mr. MURPHY of Pennsylvania (for himself, Mr. KELLY of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SHUSTER, Mr. COSTELLO of Pennsylvania, Mr. MEEHAN, Mr. MARINO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. FATTAH, Mr. ROTHFUS, Mr. DENT, Mr. BARLETTA, Mr. PERRY, Mr. FITZPATRICK, Mr. CARTWRIGHT, Mr. PITTS, Mr. THOMPSON of Pennsylvania, and Mr. REED):

H. Con. Res. 118. Concurrent resolution recognizing the soldiers of the 14th Quartermaster Detachment of the United States Army Reserve, who were killed or wounded in their barracks by an Iraqi SCUD missile attack in Dhahran, Saudi Arabia, during Operation Desert Shield and Operation Desert Storm, on the occasion of the 25th anniversary of the attack; to the Committee on Armed Services.

By Mr. HOYER (for himself, Mr. BEYER, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. DELANEY, Ms. EDWARDS, Ms. NORTON, and Mr. VAN HOLLEN):

H. Con. Res. 119. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. FITZPATRICK (for himself, Mr. SESSIONS, Ms. ROS-LEHTINEN, and Mr. LAMALFA):

H. Res. 625. A resolution expressing support for the designation of February 28, 2016, as "National Rare Eye Disease Awareness Day"; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO (for himself, Ms. MATSUI, Mr. HONDA, Mr. GRIJALVA, Ms. LEE, Mr. TED LIEU of California, Mr. BECERRA, Mr. TAKAI, Mr. KILMER, Ms. BORDALLO, Ms. JUDY CHU of California, Mr. DESAULNIER, Mr. GRAYSON, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. RANGEL, Ms. SPEIER, Mr. SWALWELL of California, Mr. VARGAS, and Ms. MAXINE WATERS of California):

H. Res. 626. A resolution recognizing the significance of the 74th anniversary of the signing of Executive Order 9066 by President Franklin D. Roosevelt and supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and incarceration of individuals and families during World War II; to the Committee on the Judiciary.

## MEMORIALS

Under clause 3 of rule XII,

174. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 262, urging the Congress of the United States to exercise regulatory control and oversight in order to maintain fair competition, adequate connections with short line railroads, and efficient, low-cost service for rail shippers; which was referred to the Committee on Transportation and Infrastructure.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WALBERG:

H.R. 4612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States; the power to regulate commerce among the several States and Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

The purpose of the bill is to prohibit an outgoing Administration from publishing regulations during a moratorium period defined by Section 1, Title 3 of the U.S. Code through January 20 of the following year. Congress has the authority to limit regulations by the Executive branch under its Commerce Clause power and it is necessary

and proper to introduce legislation to effectively carryout this power.

By Mr. KATKO:

H.R. 4613.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution (relating to the general welfare of the United States).

Article I, Section 8, Clause 9 of the Constitution of the United States; the power to constitute Tribunals inferior to the Supreme Court.

By Mr. OLSON:

H.R. 4614.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. HUFFMAN:

H.R. 4615.

Congress has the power to enact this legislation pursuant to the following:

Sixteenth Amendment: Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. NADLER:

H.R. 4616.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of Article 1 Section 8 of the US Constitution

By Ms. DELBENE:

H.R. 4617.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. COLLINS of Georgia:

H.R. 4618.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, which states that Congress shall have the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States or in any department or officer thereof.

By Mr. CUMMINGS:

H.R. 4619.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VII, Clause III: [The Congress shall have Power] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HILL:

H.R. 4620.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. CAPPS:

H.R. 4621.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution.

By Mr. CONAWAY:

H.R. 4622.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GRIJALVA:

H.R. 4623.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Ms. HAHN:

H.R. 4624.

Congress has the power to enact this legislation pursuant to the following:

According to Article I: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HANNA:

H.R. 4625.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the United States Constitution.

By Ms. JENKINS of Kansas:

H.R. 4626.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. LEWIS:

H.R. 4627.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. LOWEY:

H.R. 4628.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. MILLER of Florida:

H.R. 4629.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. RUSH:

H.R. 4630.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. RUSSELL:

H.R. 4631.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. WENSTRUP:

H.R. 4632.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. ROHRBACHER:

H.J. Res. 82.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 258: Mrs. BEATTY.

H.R. 379: Mr. CÁRDENAS.

H.R. 501: Mr. KIND and Mr. LAMALFA.

H.R. 532: Mr. LEVIN.

H.R. 534: Mr. CURBELO of Florida.

H.R. 546: Mr. GIBSON.

H.R. 563: Mr. CÁRDENAS and Ms. JENKINS of Kansas.

H.R. 592: Mr. LAHOOD and Ms. CASTOR of Florida.

H.R. 654: Mr. CARTER of Texas.

H.R. 664: Mr. POE of Texas and Mr. JOLLY.

H.R. 731: Mr. BILIRAKIS.

H.R. 814: Mr. WEBSTER of Florida.

H.R. 864: Mr. GIBSON.

H.R. 868: Mr. CHAFFETZ.

H.R. 870: Mrs. CAROLYN B. MALONEY of New York.

H.R. 885: Ms. BONAMICI.

H.R. 900: Mr. JODY B. HICE of Georgia.

H.R. 953: Mr. DEUTCH.

H.R. 969: Mr. KINZINGER of Illinois.

H.R. 997: Mr. COLLINS of New York.

H.R. 1076: Mr. CARSON of Indiana.

H.R. 1093: Ms. SLAUGHTER, Mr. LUETKEMEYER, and Mrs. LAWRENCE.

H.R. 1101: Mr. MCGOVERN.

H.R. 1170: Mr. DANNY K. DAVIS of Illinois, and Mr. STIVERS.

H.R. 1197: Mrs. MCMORRIS RODGERS and Mr. CROWLEY.

H.R. 1233: Mr. RENACCI, Mr. LAHOOD, and Mr. BARR.

H.R. 1391: Ms. MATSUI.

H.R. 1421: Mr. JEFFRIES.

H.R. 1431: Mr. JODY B. HICE of Georgia.

H.R. 1432: Mr. JODY B. HICE of Georgia.

H.R. 1439: Mr. MEEKS.

H.R. 1449: Mr. CÁRDENAS and Ms. MOORE.

H.R. 1492: Mr. DESAULNIER and Mr. ELLISON.

H.R. 1505: Mr. BILIRAKIS.

H.R. 1516: Mr. ZELDIN.

H.R. 1545: Mr. GIBSON and Mr. GRIFFITH.

H.R. 1552: Mr. MOULTON.

H.R. 1588: Ms. JENKINS of Kansas.

H.R. 1655: Mr. BISHOP of Michigan.

H.R. 1658: Mr. CARTER of Georgia.

H.R. 1706: Mr. VAN HOLLEN.

H.R. 1736: Mr. KINZINGER of Illinois and Mr. CLEAVER.

H.R. 1748: Mr. PETERSON.

H.R. 1761: Mrs. NAPOLITANO and Mr. POCAN.

H.R. 1854: Mr. SHUSTER and Mrs. WATSON COLEMAN.

H.R. 1950: Mr. RIBBLE.

H.R. 2013: Mr. PASCRELL.

H.R. 2102: Mr. FORTENBERRY, Mrs. BEATTY, and Mr. THOMPSON of Mississippi.

H.R. 2144: Mr. HANNA.

H.R. 2254: Mr. FITZPATRICK.

H.R. 2287: Mr. HUDSON.

H.R. 2290: Mr. HUELSKAMP.

H.R. 2304: Mr. CHAFFETZ.

H.R. 2400: Mr. KATKO.

H.R. 2404: Mr. WHITFIELD.

H.R. 2411: Mr. LEVIN and Ms. MATSUI.

H.R. 2460: Mr. CHAFFETZ.

H.R. 2493: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2513: Mr. FLEMING.

H.R. 2539: Mr. CARTER of Georgia.

H.R. 2545: Ms. VELÁZQUEZ.

H.R. 2546: Mr. NADLER.

H.R. 2646: Mr. COOPER.

H.R. 2721: Mr. HASTINGS.

H.R. 2752: Mr. RODNEY DAVIS of Illinois and Mr. BOUSTANY.

H.R. 2817: Mr. CURBELO of Florida.

H.R. 2901: Mr. ROYCE.

H.R. 2903: Ms. ADAMS.

H.R. 2927: Ms. LINDA T. SÁNCHEZ of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. AGUILAR, Mr. CÁRDENAS, Mr. GUTIÉRREZ, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. PIERLUISI, Mr. SERRANO, Mrs. TORRES, and Mr. VARGAS.

H.R. 2962: Ms. DUCKWORTH.

H.R. 2980: Mr. STIVERS and Mr. DEFazio.

H.R. 3029: Mr. NADLER.

H.R. 3048: Mr. CONAWAY, Mr. SESSIONS, Mr. POE of Texas, and Mr. BABIN.

H.R. 3071: Mr. SEAN PATRICK MALONEY of New York, Mr. GARAMENDI, and Mr. SWALWELL of California.

H.R. 3084: Mr. VALADAO and Mr. CÁRDENAS.

H.R. 3094: Mr. GOHMERT.

H.R. 3137: Mr. HASTINGS.

H.R. 3220: Mr. MARCHANT and Mrs. MILLER of Michigan.

H.R. 3222: Mr. FRANKS of Arizona.

H.R. 3226: Ms. SINEMA and Mr. CAPUANO.

H.R. 3235: Mr. TED LIEU of California, Mr. GRAYSON, Mrs. WATSON COLEMAN, Mr. MEEKS, Mr. HASTINGS, and Mr. GRIJALVA.

H.R. 3299: Mr. JOYCE, Mr. JOHNSON of Ohio, and Mr. QUIGLEY.

H.R. 3308: Mr. KEATING, Mr. LOEBSACK, Mrs. CAROLYN B. MALONEY of New York, Mr. CAPUANO, Ms. FUDGE, Mr. COURTNEY, Mr. LYNCH, and Mr. TED LIEU of California.

H.R. 3326: Mr. HUDSON, Mr. CURBELO of Florida, Mr. RENACCI, and Mr. EMMER of Minnesota.

H.R. 3353: Mr. ROYCE.

H.R. 3377: Mrs. DAVIS of California.

H.R. 3406: Ms. FUDGE.

H.R. 3445: Mr. ELLISON.

H.R. 3484: Mr. TAKANO.

H.R. 3514: Mr. CAPUANO.

H.R. 3515: Mr. POMPEO and Mr. WESTERMAN.

H.R. 3533: Mr. GIBSON.

H.R. 3546: Mr. DEUTCH.

H.R. 3576: Mr. VELA, Mr. GUTIÉRREZ, Ms. LOFGREN, and Mr. CUELLAR.

H.R. 3599: Mr. COOK.

H.R. 3619: Ms. MENG.

H.R. 3706: Ms. NORTON and Mr. LONG.

H.R. 3713: Mr. POLIS.

H.R. 3719: Mr. BUCHANAN.

H.R. 3742: Mr. KELLY of Pennsylvania and Mr. MURPHY of Pennsylvania.

H.R. 3758: Mr. BYRNE.

H.R. 3765: Mr. HENSARLING.

H.R. 3779: Mr. BRAT.

H.R. 3808: Mr. VALADAO and Mr. FORTENBERRY.

H.R. 3913: Mr. BRADY of Pennsylvania, Ms. DUCKWORTH, and Mr. PAYNE.

H.R. 3926: Mrs. CAPPES.

H.R. 4007: Mr. BABIN.

H.R. 4016: Mr. LONG.

H.R. 4019: Ms. MOORE and Mr. HECK of Washington.

H.R. 4062: Mrs. WAGNER.

H.R. 4102: Mr. GRIFFITH.

H.R. 4126: Mr. BURGESS, Mr. BOUSTANY, Mr. ROUZER, Mr. BRAT, Mr. LUETKEMEYER, Mr. BYRNE, Mr. NEWHOUSE, Mr. WENSTRUP, Mr. RENACCI, Mr. GRAVES of Missouri, and Mr. BISHOP of Michigan.

H.R. 4139: Mr. DELANEY.

H.R. 4167: Ms. BORDALLO and Mr. BRADY of Texas.

H.R. 4197: Mr. HENSARLING.

H.R. 4219: Mr. HUDSON and Mr. DENT.

H.R. 4229: Mr. COSTELLO of Pennsylvania and Ms. STEFANIK.

H.R. 4235: Mr. LOWENTHAL and Ms. MCCOLLUM.

H.R. 4238: Mr. FARR, Mrs. DINGELL, Mr. GUTIÉRREZ, and Ms. MOORE.

H.R. 4247: Mr. FARENTHOLD and Mr. HURD of Texas.

H.R. 4262: Mr. NEWHOUSE.

H.R. 4266: Ms. MOORE.

H.R. 4293: Mr. ZINKE and Mr. DUNCAN of Tennessee.

H.R. 4305: Mr. TED LIEU of California and Mr. FITZPATRICK.

H.R. 4320: Mr. DOLD.

H.R. 4321: Mr. WENSTRUP.

H.R. 4336: Ms. PINGREE, Mr. DEUTCH, Mr. CARTER of Georgia, Mr. MICA, Ms. WASSERMAN SCHULTZ, Miss RICE of New York, and Mr. RUIZ.

H.R. 4352: Mr. BILIRAKIS and Mr. MESSER.

H.R. 4376: Ms. EDWARDS, Ms. CLARKE of New York, Mr. GUTIÉRREZ, and Ms. LEE.

H.R. 4381: Mr. SMITH of Texas and Mr. BABIN.

H.R. 4386: Mr. BEYER and Ms. KUSTER.  
H.R. 4396: Mr. PAYNE, Mr. DEUTCH, Mr. VAN HOLLEN, and Mr. ENGEL.

H.R. 4400: Ms. DUCKWORTH.

H.R. 4403: Mr. SHERMAN and Mr. KEATING.

H.R. 4424: Mrs. Beatty, Mr. KLINE, and Mr. SIMPSON.

H.R. 4430: Mr. NOLAN, Mr. ELLISON, and Miss RICE of New York.

H.R. 4442: Mr. PAYNE.

H.R. 4469: Mrs. COMSTOCK.

H.R. 4481: Mr. YARMUTH and Mr. HANNA.

H.R. 4490: Ms. NORTON.

H.R. 4499: Mr. WALBERG, Mr. CARTER of Georgia, Mr. JENKINS of West Virginia, and Mr. MCKINLEY.

H.R. 4514: Mr. ASHFORD, Mr. CUELLAR, Mr. MEADOWS, and Mr. LAMBORN.

H.R. 4519: Mr. TAKANO.

H.R. 4521: Mr. DESAULNIER.

H.R. 4527: Miss RICE of New York.

H.R. 4528: Ms. ESHOO.

H.R. 4537: Mr. HENSARLING and Mr. LUCAS.

H.R. 4557: Mr. MURPHY of Pennsylvania, Ms. GRANGER, and Mr. SESSIONS.

H.R. 4570: Mr. HANNA, Ms. NORTON, and Mrs. MILLER of Michigan.

H.R. 4583: Mr. BUTTERFIELD and Mr. GRIFFITH.

H.R. 4589: Mr. CARTER of Georgia.

H.R. 4595: Mr. UPTON.

H.R. 4602: Mr. SENSENBRENNER.

H.R. 4603: Mr. SERRANO, Ms. MOORE, and Ms. BASS.

H.J. Res. 1: Mr. CONAWAY.

H.J. Res. 2: Mr. ABRAHAM and Mr. CONAWAY.

H.J. Res. 12: Mr. LOUDERMILK.

H.J. Res. 14: Mrs. WAGNER.

H.J. Res. 19: Mr. HARRIS.

H. Con. Res. 17: Ms. CLARK of Massachusetts, Mr. BABIN, and Mr. YARMUTH.

H. Con. Res. 75: Mr. PALAZZO and Mr. COOK.

H. Con. Res. 100: Mr. FITZPATRICK, Mr. HENSARLING, Mr. DENT, and Mr. RATCLIFFE.

H. Con. Res. 114: Mr. SMITH of Nebraska and Mr. FORTENBERRY.

H. Res. 32: Mr. SARBANES.

H. Res. 49: Ms. VELÁZQUEZ.

H. Res. 220: Mr. FITZPATRICK, Mr. LEVIN, and Mr. CICILLINE.

H. Res. 290: Mr. CICILLINE.

H. Res. 343: Mr. FRANKS of Arizona, Mr. COSTELLO of Pennsylvania, Ms. LORETTA SANCHEZ of California, and Mr. BYRNE.

H. Res. 469: Mr. O'ROURKE, Mr. ENGEL, and Mr. COOK.

H. Res. 551: Mr. MARINO, Ms. MOORE, Miss RICE of New York, Mr. AL GREEN of Texas, Ms. MCSALLY, and Mr. COSTELLO of Pennsylvania.

H. Res. 567: Mr. LANCE.

H. Res. 590: Mr. FARENTHOLD, Ms. ESTY, Mr. MASSIE, Mr. ROSS, and Mr. KING of New York.

H. Res. 600: Mr. RENACCI.

H. Res. 616: Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. COSTA, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Ms. FUDGE, Mr. GARAMENDI, Mr. GRAYSON, Mr. AL GREEN of Texas, Ms. HAHN, Mr. HASTINGS, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mrs. LAWRENCE, Ms. LOFGREN, Mr. LOWENTHAL, Mr. MCDERMOTT, Mrs. NAPOLITANO, Ms. NORTON, Ms. PELOSI, Mr. PETERS, Mr. POCAN, Mr. RANGEL, Mr. RICHMOND, Mr. RUIZ, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SHERMAN, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of California, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Ms. MATSUI.

H. Res. 617: Mr. DESJARLAIS, Mr. SANFORD, Mr. GOSAR, Mr. BUCK, Mr. HARRIS, Mr. SALMON, Mr. GIBBS, Mr. BABIN, Mr. LAMBORN, Mr. STUTZMAN, Mr. BARR, Mr. OLSON, Mr. KING of Iowa, Mr. HUELSKAMP, and Mr. TIPTON.

H. Res. 623: Mr. WESTERMAN and Mr. DESAULNIER.